

House File 2380 - Introduced

HOUSE FILE 2380
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 517)

A BILL FOR

1 An Act relating to programs and activities under the purview of
2 the department of education, the state board of education,
3 the board of educational examiners, school districts,
4 and accredited nonpublic schools; and providing for the
5 retention of certain fees and for the use of certain funds.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

COMPETENCY-BASED INSTRUCTION

Section 1. COMPETENCY-BASED INSTRUCTION TASK FORCE.

1. The superintendents of the school districts that have been approved by the department of education to implement competency-based instruction shall appoint a task force to conduct a study regarding competency-based instruction standards and options and the integration of competency-based instruction with the Iowa core curriculum, and to develop related assessment models and professional development focused on competency-based instruction.

2. At a minimum, the task force shall do all of the following:

- a. Redefine the Carnegie unit into competencies.
- b. Construct personal learning plans and templates.
- c. Develop student-centered accountability and assessment models.
- d. Empower learning through technology.
- e. Develop supports and professional development for educators to transition to a competency-based system.

3. a. The task force shall be comprised of at least sixteen members, nine of whom shall represent education stakeholders and practitioners knowledgeable about the Iowa core curriculum; one of whom shall be the deputy director and administrator of the division of learning and results of the department of education or the deputy director's designee; one of whom shall represent the area education agencies; one of whom shall represent the Iowa state education association; and four of whom shall represent the general assembly.

b. The four members of the general assembly shall serve as ex officio, nonvoting members. One representative shall be appointed by the speaker of the house of representatives, one representative shall be appointed by the minority leader of the house of representatives, one senator shall be appointed by the majority leader of the senate after consultation with the

1 president of the senate, and one senator shall be appointed by
2 the minority leader of the senate.

3 4. The person representing the area education agency shall
4 convene the initial meeting. The task force shall elect one
5 of its members as chairperson. After the initial meeting, the
6 task force shall meet at the time and place specified by call
7 of the chairperson. The department of education shall provide
8 staffing services for the task force.

9 5. The task force shall submit its plan, findings, models,
10 and recommendations in a final report to the state board of
11 education, the governor, and the general assembly by January
12 15, 2013.

13 Sec. 2. COMPETENCY-BASED EXEMPTION REQUEST — EXTENSION
14 FOR 2012-2013 SCHOOL YEAR. The board of directors of a school
15 district or the authorities in charge of a nonpublic school
16 shall have until May 1, 2012, to submit a request for an
17 exemption from the educational program to the director of the
18 department of education in accordance with section 256.11,
19 subsection 8, to create, beginning with the 2012-2013 school
20 year, competency-based pathways for students that use standards
21 and evidence as the baseline for competency determinations and
22 bases advancement and credit on what students know or are able
23 to do rather than on time spent in the classroom.

24 Sec. 3. EFFECTIVE UPON ENACTMENT. This division of this
25 Act, being deemed of immediate importance, takes effect upon
26 enactment.

27 DIVISION II

28 CORE CURRICULUM FRAMEWORK AND CORE CONTENT STANDARDS

29 Sec. 4. Section 256.7, subsection 26, paragraph a, Code
30 Supplement 2011, is amended to read as follows:

31 a. Adopt rules that establish a core curriculum and high
32 school graduation requirements for all students in school
33 districts and accredited nonpublic schools that include at a
34 minimum satisfactory completion of four years of English and
35 language arts, three years of mathematics, three years of

1 science, and three years of social studies.

2 (1) The rules establishing high school graduation
3 requirements shall authorize a school district or
4 accredited nonpublic school to consider that any student who
5 satisfactorily completes a high school-level unit ~~of English~~
6 ~~or language arts, mathematics, science, or social studies~~ has
7 satisfactorily completed a unit of the high school graduation
8 requirements for that area as specified in this lettered
9 paragraph "a", and shall authorize the school district or
10 accredited nonpublic school to issue high school credit for the
11 unit to the student.

12 (2) The rules establishing a core curriculum shall address
13 the core content standards in subsection 28 and the skills and
14 knowledge students need to be successful in the twenty-first
15 century. ~~The core curriculum shall include, including but not~~
16 limited to English and language arts, mathematics, science,
17 social studies and twenty-first century learning skills
18 ~~which include but are not limited to, music and other fine~~
19 arts, applied arts, foreign languages, physical education,
20 entrepreneurship education, civic literacy, health literacy,
21 technology literacy, financial literacy, and employability
22 skills; and shall address the curricular needs of students
23 in kindergarten through grade twelve in those areas. The
24 department shall further define the twenty-first century
25 learning skills components by rule.

26 Sec. 5. Section 256.9, Code Supplement 2011, is amended by
27 adding the following new subsections:

28 NEW SUBSECTION. 62. Appoint members to the core curriculum
29 framework and core content standards advisory council
30 established in section 256.41. The director may establish
31 objectives for the council in accordance with section 256.41.

32 NEW SUBSECTION. 63. a. Create and disseminate to school
33 districts, charter schools, and accredited nonpublic schools
34 a model curriculum that is directly tied to the goals,
35 outcomes, and assessment strategies identified in the core

1 content standards. The model curriculum shall identify a
2 developmentally appropriate scope and sequence of instruction
3 applicable to the core content standards, instructional
4 material resources, and teaching and assessment strategies.
5 The model curriculum shall provide guidance to school districts
6 and schools and expand on the core content standards. The
7 model curriculum shall be modified as necessary to incorporate
8 the core curriculum framework developed pursuant to paragraph
9 "b".

10 b. Develop by July 1, 2015, a core curriculum framework
11 aligned to the core curriculum standards established pursuant
12 to section 256.7, subsection 26.

13 Sec. 6. NEW SECTION. **256.41 Core curriculum framework and**
14 **core content standards advisory council.**

15 1. A core curriculum framework and core content standards
16 advisory council is established under the department.

17 2. The advisory council shall consist of no less than seven
18 members appointed by the director in accordance with sections
19 69.16, 69.16A, and 69.16C. Members shall serve at the pleasure
20 of the director.

21 3. The department is the primary agency responsible for
22 providing administrative personnel and services for the
23 advisory council.

24 4. Members shall elect a chair annually and other officers
25 as the members determine. Members shall establish rules of
26 procedure for the advisory council.

27 5. The advisory council shall meet at least quarterly and at
28 the call of the chair.

29 6. Members of the advisory council shall serve without
30 compensation but may be reimbursed for actual expenses incurred
31 in the performance of their duties.

32 7. The advisory council shall review the core curriculum,
33 the core content standards, and the model curriculum adopted
34 pursuant to section 256.7, subsections 26, 28, and 63 upon
35 request of the director and make recommendations to the

1 director regarding a core curriculum framework and any
2 necessary changes to the core curriculum content standards and
3 model curriculum. In making recommendations, the advisory
4 council shall seek to further the goals of the core content
5 standards and any objectives established by the director.

6 DIVISION III

7 TEACHER AND ADMINISTRATOR PERFORMANCE

8 Sec. 7. Section 256.7, Code Supplement 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 31. *a.* By January 1, 2013, adopt rules
11 establishing Iowa teaching and administration standards
12 that are aligned with best practices and nationally accepted
13 standards.

14 *b.* By July 1, 2013, adopt by rule statewide teacher
15 evaluation system and statewide administrator evaluation system
16 pilot programs which shall be implemented during the 2013-2014
17 school year. This paragraph is repealed July 1, 2015.

18 Sec. 8. Section 256.9, Code Supplement 2011, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 64. *a.* Develop a statewide teacher
21 evaluation system and a statewide administrator evaluation
22 system that school districts, charter schools, and accredited
23 nonpublic schools shall use to standardize the instruments
24 and processes used to evaluate teachers and administrators
25 throughout the state. However, a charter school or accredited
26 nonpublic school may develop and submit to the department for
27 approval an alternative teacher evaluation system that meets
28 local and state educational goals. Upon receiving approval
29 from the department, the charter school or accredited nonpublic
30 school may adopt and implement the approved alternative teacher
31 evaluation system in lieu of the statewide teacher evaluation
32 system.

33 *b.* The components of the statewide teacher evaluation system
34 shall include but not be limited to the following:

35 (1) Direct observation of classroom teaching behaviors.

1 (2) Strong consideration of student outcome measures, when
2 available for tested subjects and grades, to validate direct
3 observation of classroom teaching behaviors.

4 (3) Integration of the Iowa teaching standards.

5 (4) System applicability to teachers in all content areas
6 taught in a school.

7 Sec. 9. Section 284.3, Code 2011, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4. This section is repealed July 1, 2013.

10 Sec. 10. Section 284.4, subsection 1, paragraph e, Code
11 2011, is amended to read as follows:

12 e. (1) Adopt a teacher evaluation plan that, at minimum,
13 requires a an annual performance review of teachers in the
14 district ~~at least once every three years~~ based upon the Iowa
15 teaching standards and individual professional development
16 plans in accordance with section 284.8, and requires
17 administrators to complete evaluator training in accordance
18 with section 284.10.

19 (2) Adopt, by July 1, 2013, the statewide teacher evaluation
20 system developed pursuant to section 256.9, subsection 64.
21 However, the school district may develop and submit to the
22 department for approval an alternative teacher evaluation
23 system that meets local and state educational goals. In lieu
24 of the statewide teacher evaluation system, the school district
25 may adopt and implement the alternative teacher evaluation
26 system upon receiving approval from the department.

27 Sec. 11. Section 284.8, subsections 1 and 2, Code 2011, are
28 amended to read as follows:

29 1. A school district shall provide for an annual
30 review a of each teacher's performance ~~at least once every~~
31 ~~three years~~ for purposes of assisting teachers in making
32 continuous improvement, documenting continued competence in
33 the Iowa teaching standards, identifying teachers in need of
34 improvement, or to determine whether the teacher's practice
35 meets school district expectations for career advancement in

1 accordance with section 284.7. The review shall be conducted
 2 by at least one evaluator certified in accordance with section
 3 284.10, and shall include, at minimum, classroom observation
 4 of the teacher, the teacher's progress, and implementation of
 5 the teacher's individual professional development plan, subject
 6 to the level of resources provided to implement the plan; and
 7 shall include supporting documentation from parents, students,
 8 and other teachers.

9 2. If, as a result of a review conducted pursuant to
 10 subsection 1, a supervisor or an evaluator determines, at any
 11 time, as a result of a teacher's performance that the a teacher
 12 is not meeting district expectations under the Iowa teaching
 13 standards ~~specified in section 284.3, subsection 1, paragraphs~~
 14 ~~"a" through "h"~~ established by the state board by rule, the
 15 criteria for the Iowa teaching standards developed by the
 16 department in accordance with section 256.9, subsection 46, and
 17 any other standards or criteria established in the collective
 18 bargaining agreement, the evaluator shall, at the direction of
 19 the teacher's supervisor, recommend to the district that the
 20 teacher participate in an intensive assistance program. The
 21 intensive assistance program and its implementation are subject
 22 to negotiation and grievance procedures established pursuant to
 23 chapter 20. All school districts shall be prepared to offer an
 24 intensive assistance program.

25 Sec. 12. Section 284A.7, Code 2011, is amended to read as
 26 follows:

27 **284A.7 Evaluation requirements for administrators.**

28 1. A school district shall conduct an annual evaluation
 29 of an administrator who holds a professional administrator
 30 license issued under ~~chapter 272 at least once every three~~
 31 ~~years~~ chapter 256 for purposes of assisting the administrator
 32 in making continuous improvement, documenting continued
 33 competence in the Iowa standards for school administrators
 34 adopted pursuant to section 256.7, subsection 27, or to
 35 determine whether the administrator's practice meets school

1 district expectations. The review shall include, at a minimum,
 2 an assessment of the administrator's competence in meeting
 3 the Iowa standards for school administrators and the goals of
 4 the administrator's individual professional development plan,
 5 including supporting documentation or artifacts aligned to the
 6 Iowa standards for school administrators and the individual
 7 administrator's professional development plan.

8 2. Adopt the statewide administrator evaluation system
 9 developed pursuant to section 256.9, subsection 64. However,
 10 the school district may develop and submit to the department
 11 for approval an alternative administrator evaluation system
 12 that meets local and state educational goals. In lieu of
 13 the statewide administrator evaluation system, the school
 14 district may adopt and implement the alternative administrator
 15 evaluation system upon receiving approval from the department.

16 Sec. 13. STATEWIDE EDUCATOR EVALUATION SYSTEM TASK
 17 FORCE. The director of the department of education shall
 18 appoint, and provide staffing services for, a task force to
 19 conduct a study regarding a statewide teacher evaluation
 20 system and a statewide administrator evaluation system. The
 21 study of a statewide teacher evaluation system shall include a
 22 review of student outcome measures described in section 256.9,
 23 subsection 64, paragraph "b", subparagraph (2). To the extent
 24 possible, appointments shall be made to provide geographical
 25 area representation and to comply with sections 69.16, 69.16A,
 26 and 69.16C. The task force, at a minimum, shall include in its
 27 recommendations and proposal a tiered evaluation system that
 28 differentiates ineffective, minimally effective, effective, and
 29 highly effective performance by teachers and administrators.
 30 The task force shall submit its findings, recommendations, and
 31 a proposal for each system to the state board of education and
 32 the general assembly by October 15, 2012. By November 26,
 33 2012, the department of education shall submit a departmental
 34 bill drafting request to the legislative services agency
 35 in bill draft format making specific and detailed proposed

1 amendments to the Code of Iowa necessary to advance the
2 proposed task force recommendations as approved by the state
3 board of education.

4 Sec. 14. TEACHER PERFORMANCE, COMPENSATION, AND CAREER
5 DEVELOPMENT TASK FORCE.

6 1. The director of the department of education shall
7 appoint, and provide staffing services for, a teacher
8 performance, compensation, and career development task force
9 to develop recommendations for a new teacher compensation
10 system to replace the current teacher compensation system which
11 addresses, at a minimum, the following:

12 a. The duties and responsibilities of apprentice, career,
13 mentor, and master teachers.

14 b. Utilizing retired teachers as mentors.

15 c. Strategic and meaningful uses of finite resources and the
16 realignment of resources currently available.

17 d. Mechanisms to substantially increase the average salary
18 of teachers who assume leadership roles within the profession.

19 e. Standardizing implementation of task force
20 recommendations in all of Iowa's school districts and public
21 charter schools.

22 2. The director of the department of education shall appoint
23 and provide staffing services for a task force whose members
24 shall represent teachers, parents, school administrators,
25 and business and community leaders. Insofar as practicable,
26 appointments shall be made to provide geographical area
27 representation and to comply with sections 69.16, 69.16A, and
28 69.16C.

29 3. The state board of education shall consider the findings
30 and recommendations of the task force when adopting rules
31 establishing Iowa teaching standards pursuant to this Act.

32 4. The task force shall submit its findings and
33 recommendations in a report to the state board of education,
34 the governor, and the general assembly by October 15, 2012.

35 Sec. 15. REPEAL. Section 284.14A, Code 2011, is repealed.

1 achievement gaps, decreasing dropout rates, increasing parental
2 involvement, increasing attendance rates, increasing high
3 school graduation rates, or increasing college and career
4 program enrollment and completion rates. The state board shall
5 adopt rules relating to applicant eligibility, application
6 procedures, and awarding of grants.

7 2. The program shall be designed to enable grantees to
8 accomplish all of the following:

9 a. Expand and develop innovative practices that can serve as
10 models of best practices.

11 b. Work in partnership with the private sector,
12 community-based organizations, and the philanthropic community.

13 c. Identify and document best practices that can be shared
14 and expanded based on demonstrated success.

15 3. An innovation acceleration fund is created in the state
16 treasury under the control of the department. The fund shall
17 be administered by the director and shall consist of all moneys
18 deposited in the fund, including any moneys appropriated by the
19 general assembly and any other moneys available to and obtained
20 or accepted by the department from local, state, federal, or
21 private sources for purposes of the innovation acceleration
22 program. Notwithstanding section 8.33, moneys in the fund at
23 the end of a fiscal year shall not revert to the general fund
24 of the state. Notwithstanding section 12C.7, subsection 2,
25 interest or earnings on moneys in the fund shall be credited
26 to the fund.

27 DIVISION V

28 ONLINE LEARNING

29 Sec. 19. Section 256.7, subsection 8, Code Supplement 2011,
30 is amended to read as follows:

31 8. Rules adopted under this section shall provide that
32 telecommunications, which for purposes of this chapter shall
33 include coursework delivered online, as appropriate, shall
34 not be used by school districts as the exclusive means to
35 provide any course which is required by the minimum educational

1 standards for accreditation.

2 Sec. 20. Section 257.6, subsection 1, paragraph a,
3 subparagraph (5), Code 2011, is amended to read as follows:

4 (5) (a) Resident pupils receiving competent private
5 instruction from a licensed practitioner provided through a
6 public school district pursuant to chapter 299A, and resident
7 pupils receiving coursework delivered online, shall be counted
8 as three-tenths of one pupil. Revenues received by a school
9 district attributed to a school district's weighted enrollment
10 pursuant to this subparagraph shall be expended for the purpose
11 for which the weighting was assigned under this subparagraph.

12 (b) If the school district determines that the expenditures
13 associated with providing competent private instruction
14 pursuant to chapter 299A are in excess of the revenue
15 attributed to the school district's weighted enrollment for
16 such instruction in accordance with this subparagraph, the
17 school district may submit a request to the school budget
18 review committee for modified allowable growth in accordance
19 with section 257.31, subsection 5, paragraph "n". A home school
20 assistance program shall not provide moneys received pursuant
21 to this subparagraph, nor resources paid for with moneys
22 received pursuant to this subparagraph, to parents or students
23 utilizing the program. Moneys received by a school district
24 pursuant to this subparagraph shall be used as provided in
25 section 299A.12.

26 DIVISION VI

27 EDUCATIONAL STANDARDS EXEMPTIONS

28 Sec. 21. Section 256.11, subsection 8, Code 2011, is amended
29 to read as follows:

30 8. a. ~~Upon request of the board of directors of a~~
31 ~~public school district or the~~ authorities in charge of a
32 nonpublic school, the director may, for a number of years to
33 be specified by the director, grant the ~~district board or the~~
34 authorities in charge of the nonpublic school exemption from
35 one or more of the requirements of the educational program

1 specified in ~~subsection 5~~ this section. The exemption may be
2 renewed. Exemptions shall be granted only if the director
3 deems that the request made is an essential part of a planned
4 innovative curriculum project which the director determines
5 will adequately meet the educational needs and interests of
6 the pupils and be broadly consistent with the intent of the
7 educational program as defined in ~~subsection 5~~ this section.

8 The request for exemption shall include all of the following:

9 ~~a.~~ (1) Rationale of the project to include supportive
10 research evidence.

11 ~~b.~~ (2) Objectives of the project.

12 ~~c.~~ (3) Provisions for administration and conduct of the
13 project, including the use of personnel, facilities, time,
14 techniques, and activities.

15 ~~d.~~ (4) Plans for evaluation of the project by testing
16 and observational measures of pupil progress in reaching the
17 objectives.

18 ~~e.~~ (5) Plans for revisions of the project based on
19 evaluation measures.

20 ~~f.~~ (6) Plans for periodic reports to the department.

21 ~~g.~~ (7) The estimated cost of the project.

22 b. Upon request of the board of directors of a public
23 school district, the director may, for a number of years to be
24 specified by the director, grant the district board exemption
25 from one or more of the requirements of the educational program
26 specified in this section if the school district complies with
27 the requirements set forth in section 256F.4, subsection 2,
28 paragraphs "a" through "m", the request for exemption includes
29 the components specified in paragraph "a", subparagraphs (1)
30 through (7), and the director deems that the request made is an
31 essential part of a planned innovative curriculum project which
32 the director determines will adequately meet the educational
33 needs and interests of the pupils and be broadly consistent
34 with the intent of the educational program as defined in this
35 section.

1 c. The director shall submit a report by February 1,
2 annually, to the state board, the governor, and the general
3 assembly that lists all of the exemptions granted pursuant to
4 this subsection and the reasons for which each exemption was
5 granted by the director.

6 DIVISION VII

7 EDUCATION JOB OPENINGS POSTING

8 Sec. 22. Section 256.9, Code Supplement 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 70. Maintain, on the department's internet
11 site, education job openings which shall be submitted by school
12 districts, area education agencies, charter schools, and
13 accredited nonpublic schools for posting.

14 DIVISION VIII

15 CLASS SHARING AGREEMENTS

16 Sec. 23. Section 257.11, subsection 3, Code 2011, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. c. A school district that collaborates with
19 a community college to provide a college-level class that uses
20 an activities-based, project-based, and problem-based learning
21 approach and that is offered through a partnership with a
22 nationally recognized provider of rigorous and innovative
23 science, technology, engineering, and mathematics curriculum
24 for schools, which provider is exempt from taxation under
25 section 501(c)(3) of the Internal Revenue Code, is eligible to
26 receive additional weighting under a supplementary weighting
27 plan adopted pursuant to this subsection.

28 Sec. 24. Section 261E.8, Code Supplement 2011, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 6A. A student enrolled in a career and
31 technical course made available pursuant to subsection 1 is
32 exempt from the proficiency requirements of section 261E.3,
33 subsection 1, paragraph "e". However, a community college
34 may require a student who applies for enrollment under a
35 district-to-community college sharing or concurrent enrollment

1 program to complete an initial assessment administered by
2 the community college receiving the application to determine
3 the applicant's readiness to enroll in career and technical
4 coursework, and the community college may deny the enrollment.

5 DIVISION IX

6 SCHOOL INSTRUCTIONAL TIME TASK FORCE

7 Sec. 25. SCHOOL INSTRUCTIONAL TIME TASK FORCE.

8 1. The director of the department of education shall
9 appoint a school instructional time task force comprised of at
10 least seven members to conduct a study regarding the minimum
11 requirements of the school day and the school year. The study
12 shall include but not be limited to an examination of the
13 following:

14 a. Whether the minimum length of an instructional day should
15 be extended and, if so, whether the instructional day should be
16 extended for all students or for specific groups of students.

17 b. Whether the minimum number of instructional days or
18 hours in a school year should be increased and, if so, whether
19 the minimum number of days or hours in a school year should be
20 increased for all students or for specific groups of students.

21 c. Whether the minimum number of instructional days or hours
22 should be rearranged to result in a shorter summer break, with
23 other days or weeks off throughout the school year.

24 d. Whether the minimum school year should be defined by a
25 number of days or by a number of instructional hours.

26 e. Whether there should be a uniform, statewide start date
27 for the school year that can only be waived for the purpose of
28 implementing an innovative educational program.

29 f. Whether resources necessary to extend the minimum length
30 of an instructional day or the minimum length of a school year
31 are justified when compared to competing education priorities.

32 2. The appointment of members to the task force shall
33 be made in a manner which provides geographical area
34 representation and complies with sections 69.16, 69.16A, and
35 69.16C.

1 3. The task force shall submit its findings and
2 recommendations in a report to the state board of education,
3 the governor, and the general assembly by October 15, 2012.

4 DIVISION X
5 ASSESSMENTS

6 Sec. 26. Section 256.7, subsection 21, paragraph c, Code
7 Supplement 2011, is amended to read as follows:

8 ~~c. A requirement that all school districts and accredited~~
9 ~~nonpublic schools annually report to the department and the~~
10 ~~local community the district-wide progress made in attaining~~
11 ~~student achievement goals on the academic and other core~~
12 ~~indicators and the district-wide progress made in attaining~~
13 ~~locally established student learning goals. The Use by school~~
14 ~~districts and accredited nonpublic schools shall demonstrate~~
15 ~~the use of multiple statewide assessment measures identified~~
16 ~~and approved by the state board in determining student~~
17 ~~achievement levels. The school districts and accredited~~
18 ~~nonpublic schools shall also report the number of students~~
19 ~~who graduate; the number of students who drop out of school;~~
20 ~~the number of students who are tested and the percentage of~~
21 ~~students who are so tested annually; and the percentage of~~
22 ~~students who graduated during the prior school year and who~~
23 ~~completed a core curriculum. The board shall develop and~~
24 ~~adopt uniform definitions consistent with the federal No Child~~
25 ~~Left Behind Act of 2001, Pub. L. No. 107-110 and any federal~~
26 ~~regulations adopted pursuant to the federal Act. The school~~
27 ~~districts and accredited nonpublic schools may report on other~~
28 ~~locally determined factors influencing student achievement.~~
29 ~~The school districts and accredited nonpublic schools shall~~
30 ~~also report to the local community their results by individual~~
31 ~~attendance center.~~

32 Sec. 27. Section 256.7, subsection 21, Code Supplement
33 2011, is amended by adding the following new paragraph:

34 NEW PARAGRAPH. *d.* By July 1, 2014, establishment by the
35 department of an accountability system designed to hold school

1 districts and accredited nonpublic schools accountable for
2 student achievement. The accountability system shall, at
3 a minimum, define and measure student achievement, student
4 growth, student achievement gaps, college and career readiness,
5 student well-being, parent satisfaction, school staff working
6 conditions, school fiscal responsibility, and graduation
7 and attendance rates. The director may at the director's
8 discretion, or shall as directed by the state board, convene
9 a working group to develop recommendations for any of the
10 following:

11 (1) The accountability system established pursuant to this
12 paragraph.

13 (2) Redesigning the accreditation procedures implemented
14 under section 256.11.

15 (3) A compliance monitoring process aligned with the
16 accountability system.

17 (4) Targeting support for school districts identified as
18 needing assistance under the accountability system.

19 (5) Identifying, studying, and commending high-performing
20 districts.

21 (6) Developing strategies to take over the operation of
22 school districts determined pursuant to section 256.11, or
23 under the accountability system, as persistently failing to
24 meet educational system or student achievement standards.

25 Sec. 28. Section 256.7, subsection 26, paragraph a,
26 subparagraph (1), Code Supplement 2011, is amended to read as
27 follows:

28 (1) The rules establishing high school graduation
29 requirements shall authorize a school district or
30 accredited nonpublic school to consider that any student
31 who satisfactorily completes a high school-level unit of
32 English or language arts, mathematics, science, or social
33 studies has satisfactorily completed a unit of the high school
34 graduation requirements for that area as specified in this
35 lettered paragraph, and shall authorize the school district

1 or accredited nonpublic school to issue high school credit
2 for the unit to the student. The rules shall also require
3 administration of the college entrance and career readiness
4 examinations in accordance with section 280.18.

5 Sec. 29. Section 256.7, subsection 26, Code Supplement
6 2011, is amended by adding the following new paragraph:

7 NEW PARAGRAPH. *d.* Adopt by rule by July 1, 2014, a policy
8 for the incorporation by school districts of end-of-course
9 assessments into the district's high school graduation
10 requirements.

11 Sec. 30. Section 256.7, subsection 28, Code Supplement
12 2011, is amended to read as follows:

13 28. Adopt a set of core content standards applicable to
14 all students in kindergarten through grade twelve in every
15 school district and accredited nonpublic school. ~~For purposes~~
16 ~~of this subsection, "core content standards" includes reading,~~
17 ~~mathematics, and science.~~ The core content standards shall be
18 ~~identical to the core content standards included~~ include those
19 established in Iowa's approved 2006 standards and assessment
20 system under Tit. I of the federal Elementary and Secondary
21 Education Act of 1965, 20 U.S.C. § 6301 et seq., as amended
22 by the federal No Child Left Behind Act of 2001, Pub. L. No.
23 107-110. ~~School districts and accredited nonpublic schools~~
24 ~~shall include, at a minimum, the core content standards adopted~~
25 ~~pursuant to this subsection in any set of locally developed~~
26 ~~content standards.~~ ~~School districts and accredited nonpublic~~
27 ~~schools are strongly encouraged to set higher expectations~~
28 ~~in local standards.~~ As changes in federal law or regulation
29 occur, the state board is authorized to amend the core content
30 standards as appropriate.

31 Sec. 31. Section 256.9, Code Supplement 2011, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 68. Develop, by July 1, 2014, high school
34 end-of-course assessments for subject areas included under the
35 core content standards.

1 Sec. 32. NEW SECTION. **256.24 Value-added assessment**
2 **system.**

3 1. For purposes of this section, unless the context
4 otherwise requires, "*value-added assessment*" means a method
5 to measure gains in student achievement by conducting a
6 statistical analysis of achievement data that reveals academic
7 growth over time for students and groups of students, such as
8 those in a grade level or in a school.

9 2. A value-added assessment system shall be established and
10 implemented by the department not later than January 31, 2013,
11 to provide for multivariate longitudinal analysis of annual
12 student test scores to determine the influence of a school
13 district's educational program on student academic growth and
14 to guide school district improvement efforts. The department
15 shall select a value-added assessment system provider through a
16 request for proposals process. The system provider selected
17 by the department shall offer a value-added assessment system
18 to calculate annually the academic growth of students, as
19 determined by the director, and tested in accordance with this
20 section. The system provider shall, at a minimum, meet all of
21 the following criteria:

22 *a.* Use a mixed-model statistical analysis that has the
23 ability to use all achievement test data for each student,
24 including the data for students with missing test scores, that
25 does not adjust downward expectations for student progress
26 based on race, poverty, or gender, and that will provide the
27 best linear unbiased predictions of school or other educational
28 entity effects to minimize the impact of random errors.

29 *b.* Have the ability to work with test data from a variety of
30 sources, including data that are not vertically scaled, and to
31 provide support for school districts utilizing the system.

32 *c.* Have the capacity to receive and report results
33 electronically and provide support for districts utilizing the
34 system.

35 3. The system provider shall create a mechanism to collect

1 and evaluate data in a manner that reliably aligns the
2 performance of the teacher with the achievement levels of and
3 progress of the teacher's students. School districts shall
4 report teacher-to-student alignment data to the system provider
5 as directed by the department.

6 4. The system provider shall provide analysis to school
7 districts and to the department of education. The analysis
8 shall include but not be limited to attendance-center-level
9 test results for an assessment aligned with the core content
10 standards in the areas of reading and mathematics and other
11 core academic areas when possible. The analysis shall also
12 include but not be limited to the number of students tested,
13 the number of test results used to compute the averages,
14 the average standard score, and the corresponding grade
15 equivalent-score, as well as measures of student progress. The
16 system provider shall create a chart for each school district.

17 5. A school district shall have complete access to and
18 full utilization of its own value-added assessment reports and
19 charts generated by the system provider at the student level
20 for the purpose of measuring student achievement at different
21 educational entity levels.

22 6. Where student outcomes measures are available, for
23 tested subjects and grades, student outcomes measures
24 shall be considered by the district to validate a teacher's
25 observational evaluation. Student outcomes measures which are
26 a component of a teacher's evaluation are not public records
27 for the purposes of chapter 22.

28 7. Information about student academic growth shall be
29 used by the school district, including school board members,
30 administration, and staff, for defining student and district
31 learning goals and professional development related to student
32 learning goals across the school district. A school district
33 shall submit its academic growth measures in the annual report
34 submitted pursuant to section 256.7, subsection 21, and may
35 reference in the report state level norms for purposes of

1 demonstrating school district performance.

2 8. The department shall use student academic growth data to
3 determine school improvement and technical assistance needs of
4 school districts, and to identify school districts achieving
5 exceptional gains. Beginning January 15, 2013, and by January
6 15 of each succeeding year, the department shall submit an
7 annual progress report regarding the use of student academic
8 growth information in the school improvement processes to the
9 general assembly and shall publish the progress report on its
10 internet site.

11 9. A school district shall use the value-added assessment
12 system established by the department pursuant to subsection 1
13 not later than the school year beginning July 1, 2013.

14 Sec. 33. Section 279.60, Code 2011, is amended to read as
15 follows:

16 **279.60 ~~Kindergarten assessment~~ Assessments — access to data**
17 **— reports.**

18 1. a. Each school district shall administer a kindergarten
19 readiness assessment prescribed by the department of education
20 to every resident prekindergarten or four-year-old child whose
21 parent or guardian enrolls the child in the district.

22 b. Each school district shall administer the dynamic
23 indicators of basic early literacy skills kindergarten
24 benchmark assessment or other kindergarten benchmark assessment
25 adopted by the department of education in consultation with
26 the early childhood Iowa state board to every kindergarten
27 student enrolled in the district not later than the date
28 specified in section 257.6, subsection 1. The school district
29 shall also collect information from each parent, guardian,
30 or legal custodian of a kindergarten student enrolled in the
31 district, including but not limited to whether the student
32 attended preschool, factors identified by the early childhood
33 Iowa office pursuant to section 256I.5, and other demographic
34 factors. Each school district shall report the results of
35 the assessment and the preschool information collected to

1 the department of education in the manner prescribed by the
2 department not later than January 1 of that school year. The
3 early childhood Iowa office in the department of management
4 shall have access to the raw data. The department shall review
5 the information submitted pursuant to this section and shall
6 submit its findings and recommendations annually in a report to
7 the governor, the general assembly, the early childhood Iowa
8 state board, and the early childhood Iowa area boards.

9 2. a. Each school district shall administer the Iowa
10 assessments, created by the state university of Iowa, to all
11 students enrolled in grade ten in the school years beginning
12 July 1, 2012, and July 1, 2013.

13 b. This subsection is repealed July 1, 2014.

14 3. By July 1, 2014, each school district shall administer
15 end-of-course assessments developed pursuant to section 256.9,
16 subsection 68, as an integral component of each course of study
17 under the core content standards.

18 Sec. 34. NEW SECTION. 280.18 Assessment requirements.

19 1. The board of directors of a school district and the
20 authorities in charge of a nonpublic school shall offer to each
21 student enrolled in grade eleven a choice of taking either
22 a college entrance examination produced to assess English,
23 reading, mathematics, and science; or an assessment to assess
24 reading for information, locating information, and applied
25 mathematics.

26 2. a. The cost of the examinations and assessments
27 administered pursuant to subsection 1 shall be paid by the
28 department.

29 b. The costs of a college entrance examination taken by a
30 student in addition to those specified in subsection 1 shall be
31 the responsibility of the student.

32 3. If funds are available to the department for such
33 purpose, the department shall make a preparation program for
34 the college entrance examination available to all students in
35 grade eleven. The department may contract for the necessary

1 assessment services.

2 4. *a.* The school district or school shall counsel a student
3 whose scores on the college entrance examination administered
4 in grade eleven indicate a high degree of readiness for college
5 to enroll in accelerated courses, with an emphasis on advanced
6 placement and other college-level classes.

7 *b.* The school district or school shall provide intervention
8 strategies for accelerated learning in the following
9 circumstances:

10 (1) To a student whose scores on the career readiness
11 assessments indicate that additional assistance is required
12 in reading for information, locating information, or applied
13 mathematics.

14 (2) To a student whose scores on the college entrance
15 examination administered in grade eleven indicate that
16 additional assistance is required in English, reading,
17 mathematics, and science.

18 5. Accommodations provided by the college entrance
19 examination provider to a student with a disability taking
20 the college entrance examination under subsection 1 shall be
21 provided in the following manner:

22 *a.* In the manner allowed by the college entrance examination
23 provider, when results in test scores are reportable to
24 a postsecondary institution for admissions and placement
25 purposes, except as provided in paragraph "b".

26 *b.* In a manner allowed by an individualized education
27 program developed for the student if the student is a student
28 requiring special education under chapter 256B and the
29 student's disability precludes valid assessment of academic
30 ability using the accommodations provided under paragraph "a"
31 when the student's scores are not reportable to a postsecondary
32 institution for admissions and placement purposes.

33 6. A student's scores on the examinations administered
34 under subsection 1 shall be recorded by the school district or
35 school in the student's official education record.

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DIVISION XI

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS AWARDS

Sec. 35. Section 256.44, subsection 1, paragraph a, Code 2011, is amended to read as follows:

a. If a teacher registers for national board for professional teaching standards certification ~~by~~ after December 31, 2007, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department ~~within one year of registration~~ in a manner and according to procedures required by the department, submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

Sec. 36. Section 256.44, subsection 1, paragraph b, subparagraph (1), subparagraph division (b), Code 2011, is amended to read as follows:

(b) If the teacher registers for national board for professional teaching standards certification ~~between January 1, 1999, and December 31, 2007,~~ and achieves certification within the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards.

DIVISION XII

EDUCATOR EMPLOYMENT AND PROFESSIONAL DEVELOPMENT MATTERS

Sec. 37. Section 256.7, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 32. Adopt rules providing for the

1 establishment of a statewide plan for professional development
2 for practitioners employed in Iowa's school districts. The
3 statewide plan shall be designed to make every reasonable
4 effort to utilize best practices, current technologies, and
5 social media, and shall be implemented by the area education
6 agencies pursuant to section 273.2.

7 Sec. 38. Section 256.9, Code Supplement 2011, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 69. Approve, amend and approve, or reject
10 each professional development plan submitted pursuant to
11 section 273.2, in accordance with the rules adopted pursuant to
12 section 256.7, subsection 32, providing for the establishment
13 of a statewide professional development plan for practitioners,
14 the services of which a school district may request pursuant
15 to section 273.2.

16 Sec. 39. Section 257.10, subsection 10, paragraph d, Code
17 2011, is amended to read as follows:

18 *d.* The use of the funds calculated under this subsection
19 shall comply with the requirements of section 256.7, subsection
20 32, and chapter 284.

21 Sec. 40. Section 257.10, subsection 10, Code 2011, is
22 amended by adding the following new paragraph:

23 NEW PARAGRAPH. *e.* For the budget year beginning July 1,
24 2012, and succeeding budget years, the department of management
25 shall reduce the distributions from the amount generated by the
26 total professional development supplement district cost to each
27 school district for the budget year by ten percent. However,
28 for purposes of the calculation of the combined district cost
29 pursuant to section 257.10, subsection 8, and the calculation
30 of the additional property tax pursuant to section 257.4, the
31 total professional development supplement district cost is the
32 amount which results after the reduction made pursuant to this
33 paragraph.

34 Sec. 41. Section 257.16, Code 2011, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 5. There is appropriated to the department
2 of education for the fiscal year beginning July 1, 2012, and
3 each fiscal year thereafter, an amount equal to the amount of
4 the professional development supplement reduction, determined
5 pursuant to section 257.10, subsection 10, paragraph "e", and
6 section 257.37A, subsection 2, paragraph "d", for purposes
7 of implementing a statewide professional development plan in
8 accordance with section 256.7, subsection 32.

9 Sec. 42. Section 257.37A, subsection 2, paragraph d, Code
10 2011, is amended to read as follows:

11 d. The use of the funds calculated under this subsection
12 shall comply with requirements of section 256.7, subsection 32,
13 and chapter 284.

14 Sec. 43. Section 257.37A, subsection 2, Code 2011, is
15 amended by adding the following new paragraph:

16 NEW PARAGRAPH. e. For the budget year beginning July 1,
17 2012, and succeeding budget years, the department of management
18 shall reduce the distributions from the amount generated by the
19 total area education agency professional development supplement
20 district cost to each area education agency for the budget
21 year by ten percent. However, for purposes of the calculation
22 of the combined district cost pursuant to section 257.10,
23 subsection 8, and the calculation of the additional property
24 tax pursuant to section 257.4, the total area educational
25 agency professional development supplement district cost is the
26 amount which results after the reduction made pursuant to this
27 paragraph.

28 Sec. 44. Section 273.2, Code Supplement 2011, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 10. The area education agency boards shall
31 each annually submit to the department of education a plan
32 for a professional development program, to be implemented in
33 the following fiscal year, which combines the professional
34 development priorities of the state board of education,
35 in accordance with section 256.7, subsection 32, with the

1 professional development needs of the schools and school
2 districts in the area. The area education agency board shall
3 provide professional development services under the approved
4 program to local school districts in the area upon request.

5 Sec. 45. Section 279.13, Code 2011, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 6. Notwithstanding the other provisions
8 of this section and any contrary provision of the Code, if
9 the board of directors of a school district or charter school
10 institutes, by majority vote of the membership of the board,
11 a reduction in force, a decision by the board not to renew a
12 teacher contract shall be based upon the following:

13 a. The teacher's effectiveness as demonstrated in
14 evaluations conducted under the teacher evaluation plan adopted
15 pursuant to section 284.4, and the teacher's performance review
16 conducted pursuant to section 284.8.

17 b. The teacher's licensure and endorsements and the needs of
18 the school district or school, and the needs of the students.

19 c. The teacher's hiring date may be taken into consideration
20 only if the bases existing under paragraphs "a" and "b" are
21 substantially equal to the bases existing under paragraphs "a"
22 and "b" for another teacher.

23 Sec. 46. Section 284.6, subsection 1, unnumbered paragraph
24 1, Code Supplement 2011, is amended to read as follows:

25 The department shall ~~coordinate~~ implement the statewide
26 ~~network of~~ plan for professional development for Iowa teachers
27 practitioners established pursuant to section 256.7, subsection
28 32. A In addition, a school district or professional
29 development provider that offers a career and professional
30 development ~~program~~ programs in accordance with section 256.9,
31 ~~subsection~~ subsections 46, and 69 shall demonstrate that the
32 ~~program contains~~ programs contain the following:

33 Sec. 47. Section 284.6, Code Supplement 2011, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 5A. The director may waive the requirements

1 relating to the development and review of an individual teacher
2 professional development plan for a school district that
3 utilizes a peer review teacher evaluation system in which
4 consulting teachers, in conjunction with school administrators,
5 make formal evaluations of the school district's teachers,
6 including but not limited to each teacher's professional
7 growth and employment status. Notwithstanding section 284.8,
8 subsection 1, if the school district is granted a waiver
9 pursuant to this subsection, the review conducted pursuant to
10 section 284.8, subsection 1, shall include a teacher's review
11 conducted utilizing the peer review teacher evaluation system.

12 DIVISION XIII

13 CHARTER SCHOOL CHANGES

14 Sec. 48. Section 256F.1, subsections 1 and 2, Code 2011, are
15 amended by striking the subsections.

16 Sec. 49. Section 256F.1, subsection 3, unnumbered paragraph
17 1, Code 2011, is amended to read as follows:

18 The purpose of a charter school ~~or an innovation zone school~~
19 established pursuant to this chapter shall be to accomplish the
20 following:

21 Sec. 50. Section 256F.1, subsection 4, Code 2011, is amended
22 by striking the subsection and inserting in lieu thereof the
23 following:

24 4. This section shall not be construed to provide a means
25 to keep open a school that the board of directors of a school
26 district closes. However, a school board may endorse or
27 authorize the establishing of a charter school to replace the
28 school the board closes. Applicants seeking a charter under
29 this circumstance shall demonstrate to the state board that
30 the charter sought is substantially different in purpose and
31 program from the school the board closes and that the proposed
32 charter satisfies the requirements of this section. The state
33 board shall not approve an application submitted under section
34 256F.5 if the application does not comply with this subsection.

35 Sec. 51. Section 256F.2, subsections 1 and 6, Code 2011,

1 are amended by striking the subsections and inserting in lieu
2 thereof the following:

- 3 1. "*Applicant*" means an entity eligible to submit to the
4 state board an application to charter a school in accordance
5 with this chapter. "*Applicant*" includes any of the following:
- 6 a. The board of directors of a school district.
 - 7 b. A consortium consisting of the boards of directors of two
8 or more school districts.
 - 9 c. An area education agency board.
 - 10 d. A consortium consisting of the boards of directors of
11 an area education agency and one or more school districts, at
12 least one of which is located within the boundaries of the area
13 education agency.
 - 14 e. The board of directors of a community college.
 - 15 f. A consortium consisting of the boards of directors of a
16 community college and one or more school districts, at least
17 one of which is located within the boundaries of the community
18 college.
 - 19 g. An institution of higher education governed by the state
20 board of regents.
 - 21 h. A consortium consisting of an institution of higher
22 education governed by the state board of regents and the board
23 of directors of one or more school districts.
 - 24 i. A consortium consisting of one or more accredited private
25 institutions as defined in section 261.9, all of which shall be
26 exempt from taxation under section 501(c)(3) of the Internal
27 Revenue Code, and the board of directors of one or more school
28 districts.
 - 29 j. A consortium consisting of the governing body of a city
30 or county with a population over ninety-five thousand and the
31 board of directors of one or more school districts located, at
32 least in part, within the boundaries of the city or county.
 - 33 k. A nonsectarian, nonreligious charitable organization that
34 is exempt from taxation under section 501(c)(3) of the Internal
35 Revenue Code.

1 6. "Operator" means an applicant approved by the state board
2 to charter a school under this chapter.

3 Sec. 52. Section 256F.2, subsection 7, Code 2011, is amended
4 by striking the subsection.

5 Sec. 53. Section 256F.3, Code 2011, is amended by striking
6 the section and inserting in lieu thereof the following:

7 **256F.3 Duties of the department.**

8 The department shall do the following:

9 1. Develop and implement an orientation program for
10 operators. An operator shall successfully complete the
11 orientation program prior to chartering a school pursuant to
12 this chapter. The program shall include but not be limited
13 to accountability requirements, reporting requirements, and
14 financial management. If the operator does not successfully
15 complete the orientation program in the time specified by the
16 department, the state board shall reevaluate the operator's
17 application and may deny the application. If the state board
18 denies an application under this subsection, the decision of
19 the state board is final agency action under chapter 17A.

20 2. Develop and implement or approve orientation programs
21 for members of the boards of directors of charter schools,
22 including but not limited to orientation on the charter school
23 board's role and responsibilities, employment policies and
24 practices, and financial management.

25 3. Monitor and evaluate the fiscal, operational, and
26 student performance of the charter school annually and provide
27 a written annual performance evaluation to the charter school
28 board and the state board.

29 4. Provide, every fifth year in which a charter school is
30 in operation and before the state board considers renewing
31 a charter school's contract, a formal written review of the
32 annual evaluations conducted pursuant to subsection 3.

33 Sec. 54. Section 256F.4, subsections 1, 5, and 7, Code 2011,
34 are amended by striking the subsections.

35 Sec. 55. Section 256F.4, subsections 2, 6, and 8, Code 2011,

1 are amended to read as follows:

- 2 2. Although a charter school ~~or innovation zone school~~
3 may elect to comply with one or more provisions of statute or
4 administrative rule, a charter school ~~or innovation zone school~~
5 is exempt from all statutes and administrative rules applicable
6 to a school, a school board, or a school district, except that
7 the charter school ~~or innovation zone school~~ shall meet the
8 requirements of this chapter and shall do all of the following:
- 9 a. Meet all applicable federal, state, and local health and
10 safety requirements and laws prohibiting discrimination on the
11 basis of race, creed, color, sex, sexual orientation, gender
12 identity, national origin, religion, ancestry, or disability.
13 A charter school ~~or innovation zone school~~ shall be subject to
14 any court-ordered desegregation plan in effect for the school
15 district at the time the charter school ~~or innovation zone~~
16 ~~school~~ application is approved.
- 17 b. Operate as a nonsectarian, nonreligious public school.
- 18 c. Be free of tuition and application fees to Iowa resident
19 students between the ages of five and twenty-one years.
- 20 d. Be subject to and comply with chapters 216 and 216A
21 relating to civil and human rights.
- 22 e. ~~Provide~~ Make special education programs and services
23 available to students requiring special education in accordance
24 with chapter 256B.
- 25 f. Be subject to the same financial audits, audit
26 procedures, and audit requirements as a school district. The
27 audit shall be consistent with the requirements of sections
28 11.6, 11.14, 11.19, 256.9, subsection 20, section 256F.8, and
29 section 279.29, except to the extent deviations are necessary
30 because of the program at the charter school. The department,
31 the auditor of state, or the legislative services agency may
32 conduct financial, program, or compliance audits.
- 33 g. Be subject eligible to and comply with participate in
34 the student achievement and teacher quality program under
35 chapter 284 relating to the student achievement and teacher

1 ~~quality program. A charter school or innovation zone school~~
2 ~~that complies with chapter 284 shall receive state moneys or~~
3 be eligible to receive state moneys calculated as provided in
4 section 257.10, subsections 9 and 10, and section 257.37A as if
5 it did not operate under a charter school or innovation zone
6 school contract.

7 *h.* Be subject to and comply with ~~chapters~~ chapter 20 and
8 ~~279~~ relating to contracts with and discharge of teachers and
9 administrators.

10 *i.* Be subject to and comply with the provisions of chapter
11 285 relating to the transportation of students, except that the
12 provisions of section 285.1, subsections 14, 15, 16, and 17,
13 shall not apply.

14 ~~*j.* Meetings and records of the advisory council are subject~~
15 ~~to the provisions of chapters 21 and 22.~~

16 *j.* Comply with sections 279.9, 280.17A, 280.17B, 280.21B,
17 280.24, and 280.28, and may suspend or expel a student only
18 as provided in section 282.4. A decision made as provided in
19 section 282.4 is subject to appeal under section 290.1.

20 *k.* Comply with all statutes and administrative rules
21 relating to student records, including but not limited to
22 section 22.7, subsection 1, and sections 256H.1, 280.19A,
23 280.25, and 280.29, and shall submit data to the department
24 for purposes of the department's comprehensive management
25 information system.

26 *l.* Comply with the requirements of chapter 283A.

27 *m.* Comply with any statewide accountability requirements in
28 statute or administrative rule governing high school graduation
29 requirements, the core curriculum, core content standards,
30 and assessments. The charter school shall issue high school
31 diplomas to students who successfully meet the graduation
32 requirements of the charter school.

33 6. Notwithstanding subsection 2, a charter school ~~or~~
34 ~~innovation zone school~~ shall meet the requirements of section
35 256.7, subsection 21.

1 8. A charter school ~~or innovation zone consortium may~~ shall
2 enter into contracts in accordance with chapter 26.

3 Sec. 56. Section 256F.4, subsections 3 and 4, Code 2011,
4 are amended by striking the subsections and inserting in lieu
5 thereof the following:

6 3. The primary focus of a charter school shall be to provide
7 a comprehensive program of instruction for at least one grade
8 or age group from five through twenty-one years of age.

9 4. A charter school is a municipality for the purposes of
10 tort liability under chapter 670.

11 Sec. 57. Section 256F.5, Code Supplement 2011, is amended
12 by striking the section and inserting in lieu thereof the
13 following:

14 **256F.5 Application.**

15 1. An application to operate a charter school pursuant to
16 this chapter shall include but not be limited to the following:

17 a. A business plan that documents the proposed charter
18 school's mission statement; school purposes; program design;
19 description of a graduation plan, where applicable; financial
20 plan; governance and management structure; and background
21 and experience of the applicants and the initial board and
22 instructional staff, plus any other information the state board
23 requests. An applicant shall file a separate application for
24 each school the applicant intends to charter.

25 b. A statement of assurances of legal compliance prescribed
26 by the state board.

27 c. The applicant's ability to implement the procedures
28 and satisfy the criteria for chartering a school under this
29 chapter.

30 d. The measures that will be implemented to provide for
31 oversight of the charter school's academic, financial, and
32 operational performance, and to ensure compliance with the
33 terms of any written contract entered into by the charter
34 school board of directors and the state board.

35 e. A statement of support or nonsupport from the board of

1 directors of the school district, in which the charter school
2 would be located. The statement shall be submitted to the
3 applicant in a timely manner by the school district board.

4 *f.* A statement demonstrating community support.

5 *g.* A statement of admission policies and procedures.

6 *h.* The types and amounts of insurance liability coverage to
7 be obtained by the charter school.

8 *i.* How special instruction, programs, and services for
9 children requiring special education and English language
10 learners under chapter 256B and section 280.4 will be made
11 available and a description of the financial parameters within
12 which the special instruction, programs, and services will be
13 made available.

14 2. If the applicant includes a school district pursuant
15 to section 256F.2, subsection 1, paragraph "a", "b", "d", "f",
16 "h", "i", or "j", that will, under the plan submitted, convert
17 an existing attendance center operated by the school district
18 into a charter school in accordance with this chapter, the
19 application shall demonstrate the support of at least fifty
20 percent of the teachers employed at the school on the date
21 of the submission of the application and fifty percent of
22 the parents or guardians voting whose children are enrolled
23 at the school, provided that a majority of the parents or
24 guardians eligible to vote participate in the ballot process,
25 according to procedures established by rules of the state
26 board. Conversion of an existing school to a charter school if
27 approved pursuant to this chapter shall occur at the beginning
28 of an academic year.

29 3. *a.* The state board shall approve or disapprove an
30 application within ninety business days of receipt of the
31 application.

32 *b.* If the state board disapproves the application, the state
33 board shall notify the applicant of the specific deficiencies
34 in writing and the applicant shall have twenty business days to
35 address the deficiencies to the state board's satisfaction.

1 (1) If the applicant addresses the deficiencies within the
2 time specified, the state board shall at its next regularly
3 scheduled meeting make a final decision to approve or
4 disapprove the application.

5 (2) If the applicant fails to address the deficiencies in
6 the time specified, the state board shall notify the applicant
7 that the application is denied and the decision of the state
8 board is final agency action under chapter 17A.

9 c. An applicant whose application is denied pursuant to the
10 process specified in this subsection shall not submit another
11 application until the expiration of at least one calendar year
12 after notification of the denial of application.

13 4. The state board shall establish criteria for application
14 approval that at a minimum consider the following:

15 a. A comprehensive review of the application.

16 b. The available capacity and infrastructure identified in
17 the plan.

18 c. Contracting process specified in the plan.

19 d. Ongoing oversight and evaluation processes relating to
20 administration and staffing.

21 e. Charter school contract and contract renewal criteria and
22 processes.

23 5. Approval of an application and renewal of a charter by
24 the state board shall not be conditioned upon the bargaining
25 unit status of the employees of the school.

26 Sec. 58. Section 256F.6, Code 2011, is amended by striking
27 the section and inserting in lieu thereof the following:

28 **256F.6 Formation of school — board.**

29 1. An operator who successfully completes the orientation
30 program required pursuant to section 256F.3, subsection
31 1, before entering into a contract or other agreement for
32 professional or other services, goods, or facilities, shall
33 incorporate as a nonprofit corporation under chapter 504 and
34 shall establish an initial board of directors composed of at
35 least five voting members, who are not related parties, until a

1 timely election for members of the ongoing charter school board
2 of directors is held according to the school's articles and
3 bylaws.

4 2. Members of the charter school board of directors
5 established under the school's articles and bylaws shall
6 be elected before the school completes its third year of
7 operation. The articles and bylaws shall require that the
8 board be composed of not less than five voting members. The
9 articles and bylaws shall include clear policies regarding
10 conflicts of interest, standards of responsibility, and
11 obedience to law, fairness, and honesty.

12 3. Staff members employed at the school and all parents
13 or guardians of children enrolled in the school are the
14 voters eligible to elect the members of the school's board of
15 directors.

16 4. A charter school shall notify eligible voters of the
17 school board election dates at least thirty days before the
18 election. Board elections shall be held during the school year
19 but may not be conducted on days when the school is closed for
20 holidays or vacations.

21 5. *a.* Any charter school board of directors shall be
22 composed of the following:

23 (1) Notwithstanding section 279.7A, at least one licensed
24 teacher employed at the school.

25 (2) At least one parent or legal guardian of a student
26 enrolled in the charter school who is not an employee of the
27 charter school.

28 (3) At least one interested community member who is not
29 employed by the charter school and does not have a child
30 enrolled in the school.

31 *b.* The majority of members on the board may be teachers,
32 notwithstanding section 279.7A.

33 *c.* The chief financial officer and the chief administrator
34 of the charter school, if elected, shall only serve as *ex*
35 *officio*, nonvoting board members.

1 *d.* Charter school employees shall not serve on the board
2 except as provided in this subsection.

3 *e.* Except as provided in section 279.7A, contractors
4 providing facilities, goods, or services to a charter school
5 shall not serve on the board.

6 *f.* Board articles and bylaws shall outline the process
7 and procedures for changing the board's governance model,
8 consistent with chapter 504.

9 6. A charter school board may change the governance model
10 set forth in the application or in the articles and bylaws
11 of the charter school only if the change conforms with this
12 section and a majority of the board approves the change; the
13 licensed teachers employed by the school approve the change;
14 and the state board approves the change.

15 7. *a.* The state board may permit a charter school board
16 to expand the operation of the charter school to additional
17 sites or to add grades at the school beyond those described
18 in the operator's approved application only after submitting
19 a supplemental affidavit for approval to the state board
20 in a form and manner prescribed by the state board. The
21 supplemental affidavit shall include the following:

22 (1) A proposed expansion plan that demonstrates need and
23 projected enrollment.

24 (2) Documentation that the expansion is warranted, at a
25 minimum, by longitudinal data demonstrating students' improved
26 academic performance and growth on student assessments.

27 (3) Documentation that the charter school is financially
28 sound and the financing the charter school needs to implement
29 the proposed expansion exists.

30 (4) Documentation that the charter school has the
31 governance structure and management capacity to carry out the
32 expansion.

33 *b.* The state board shall have sixty business days to review
34 and comment on the supplemental affidavit. The state board
35 shall notify the charter school board of any deficiencies in

1 the supplemental affidavit and the charter school board shall
2 have twenty business days to address, to the state board's
3 satisfaction, any deficiencies in the supplemental affidavit.
4 The school shall not expand to additional sites or add grades
5 until the state board approves the supplemental affidavit.
6 The state board's approval or disapproval of a supplemental
7 affidavit is final agency action.

8 8. The charter school board of directors is a government or
9 governmental body for purposes of chapters 21 and 22.

10 9. Except as provided in subsection 5, members of the board
11 are subject to section 279.7A.

12 Sec. 59. Section 256F.8, Code 2011, is amended by striking
13 the section and inserting in lieu thereof the following:

14 **256F.8 Audit report.**

15 1. The charter school shall annually submit an audit report
16 to the state board by December 31.

17 2. The charter school, with the assistance of the auditor
18 conducting the audit, shall include with the report a copy
19 of all charter school agreements for corporate management
20 services. If the entity that provides the professional
21 services to the charter school is exempt from taxation under
22 section 501 of the Internal Revenue Code of 1986, that entity
23 must file with the state board by February 15 a copy of the
24 annual return required under section 6033 of the Internal
25 Revenue Code of 1986.

26 3. If the audit report finds that a material weakness
27 exists in the financial reporting systems of a charter school,
28 the charter school shall submit a written report to the state
29 board at its first annual meeting explaining how the material
30 weakness will be resolved. An auditor conducting the audit
31 of the charter school, as a condition of providing financial
32 services to a charter school, shall agree to make available
33 information about a charter school's financial audit to the
34 state board upon request.

35 Sec. 60. Section 256F.9, Code 2011, is amended by striking

1 the section and inserting in lieu thereof the following:

2 **256F.9 Admission requirements.**

3 1. A charter school may limit admission to the following:

4 a. Students within an age group or grade level.

5 b. Students who are either at risk of dropping out or have
6 dropped out of school.

7 c. Residents of a specific geographic area in which the
8 school is located when the majority of students served by the
9 school are eligible for free and reduced price meals under
10 the federal National School Lunch Act and the federal Child
11 Nutrition Act of 1966, 42 U.S.C. § 1751-1785.

12 2. A charter school shall enroll an eligible student who
13 submits a timely application, unless the number of applications
14 exceeds the capacity of a program, class, grade level, or
15 building. In such case, students shall be accepted by lot.
16 The charter school shall develop and publish a lottery policy
17 and process for use when accepting students by lot.

18 3. A charter school shall give enrollment preference to
19 a sibling of an enrolled student and to a foster child of
20 that student's parents and may give preference for enrolling
21 children of the school's staff before accepting other students
22 by lot.

23 4. A charter school shall not limit admission to students
24 on the basis of intellectual ability, measures of achievement
25 or aptitude, or athletic ability and shall not establish any
26 criteria or requirements for admission that are inconsistent
27 with this section.

28 5. The charter school shall not distribute any services
29 or goods of value to students, parents, or guardians as an
30 inducement, term, or condition of enrolling a student in a
31 charter school.

32 Sec. 61. Section 256F.10, Code 2011, is amended by striking
33 the section and inserting in lieu thereof the following:

34 **256F.10 Employment and other operating matters.**

35 A charter school shall employ or contract with necessary

1 teachers and administrators, as defined by chapter 256, who
2 hold valid licenses and endorsements to perform the particular
3 service for which they are employed in the school. The school
4 may employ necessary employees who are not required to hold
5 teaching licenses to perform duties other than teaching and may
6 contract for other services.

7 Sec. 62. NEW SECTION. **256F.11 Leased space.**

8 If space to be leased is constructed as a school facility,
9 a charter school may lease such space from a school district
10 or other public organization; private, nonprofit nonsectarian
11 organization; private property owner; or a sectarian
12 organization.

13 Sec. 63. NEW SECTION. **256F.12 Affiliated nonprofit building**
14 **corporation.**

15 1. A charter school may organize an affiliated nonprofit
16 building corporation to renovate or purchase an existing
17 facility to serve as a school or to construct a new school
18 facility as provided in subsection 4 or 5.

19 2. An affiliated nonprofit building corporation shall meet
20 all of the following conditions:

21 a. Be incorporated under chapter 504 and comply with
22 applicable internal revenue service regulations.

23 b. Submit annually to the state board a list of current
24 board members and a copy of the corporation's annual audit.

25 3. An affiliated nonprofit building corporation shall not
26 serve as the leasing agent for property or facilities it does
27 not own. The state is immune from liability resulting from a
28 contract between a charter school and an affiliated nonprofit
29 building corporation.

30 4. A charter school may organize an affiliated nonprofit
31 building corporation to renovate or purchase an existing
32 facility to serve as a school if the charter school meets the
33 following criteria:

34 a. Has been operating for at least five consecutive school
35 years.

1 *b.* Has had a net positive unreserved general fund balance as
2 of June 30 in the preceding five fiscal years.

3 *c.* Has a long-range strategic and financial plan.

4 *d.* Completes a feasibility study of available buildings.

5 *e.* Documents enrollment projections and the need to use
6 an affiliated nonprofit building corporation to renovate or
7 purchase an existing facility to serve as a school.

8 5. A charter school may organize an affiliated nonprofit
9 building corporation to construct a new school facility if the
10 charter school meets the following conditions:

11 *a.* Lacks facilities available to serve as a school.

12 *b.* Has been operating for at least eight consecutive school
13 years.

14 *c.* Has had a net positive unreserved general fund balance as
15 of June 30 in the preceding eight fiscal years.

16 *d.* Completes a feasibility study of facility options.

17 *e.* Has a long-range strategic and financial plan that
18 includes enrollment projections and demonstrates the need for
19 constructing a new school facility.

20 Sec. 64. NEW SECTION. 256F.13 **Collective bargaining.**

21 Employees of the board of directors of a charter school may,
22 if otherwise eligible, organize under chapter 20 and comply
23 with its provisions. The board of directors of a charter
24 school is a public employer, for the purposes of chapter 20,
25 upon formation of one or more bargaining units at the school.
26 Bargaining units at the school shall be separate from any other
27 units within the school district in which the charter school
28 is located, except that bargaining units may remain part of
29 the appropriate bargaining unit of the school district within
30 which the charter school is located if the employees of the
31 charter school, the board of directors of the charter school,
32 the exclusive representative of the appropriate bargaining unit
33 in the school district, and the board of the school district
34 agree to include the employees in the appropriate bargaining
35 unit of the school district.

1 Sec. 65. NEW SECTION. **256F.14 Teacher retirement.**

2 Teachers in a charter school are public school teachers for
3 the purposes of chapter 97B.

4 Sec. 66. NEW SECTION. **256F.15 Causes for nonrenewal or**
5 **termination of charter school contract.**

6 1. The state board may decline to renew a contract entered
7 into with the board of directors of a charter school at the end
8 of the contract term for any ground listed in subsection 3.

9 The state board may unilaterally terminate a contract during
10 the term of the contract for any ground listed in subsection 3.

11 2. At least sixty business days before not renewing or
12 terminating a contract, the state board shall notify the board
13 of directors of the charter school of the proposed action in
14 writing. The notice shall state the grounds for the proposed
15 action in reasonable detail and that the charter school's
16 board of directors may request in writing a hearing before the
17 state board within fifteen business days of receiving notice
18 of nonrenewal or termination of the contract. Failure by the
19 board of directors to make a written request for a hearing
20 within the time specified shall be treated as acquiescence to
21 the proposed action. Upon receiving a timely written request
22 for a hearing, the state board shall give ten business days'
23 notice to the charter school's board of directors of the
24 hearing date. The state board shall conduct the hearing before
25 taking final action. The state board shall take final action
26 to renew or not renew a contract no later than twenty business
27 days before the proposed date for terminating the contract or
28 the end date of the contract.

29 3. A charter school contract entered into with the state
30 board may be terminated or not renewed by the state board upon
31 any of the following grounds:

32 a. Failure to meet the requirements for student performance
33 contained in the contract.

34 b. Failure to meet generally accepted standards of fiscal
35 management.

1 *c.* Violations of law.

2 *d.* Other good cause shown, including but not limited to
3 the existence of one or more other grounds for revocation as
4 specified in the contract.

5 4. If a contract is terminated or not renewed on grounds
6 specified in subsection 3, the school shall be dissolved
7 according to rules adopted by the state board, and the assets
8 of the charter school shall be disposed of according to the
9 applicable provisions of chapter 504.

10 5. The state board, after providing reasonable notice to the
11 board of directors of a charter school, and after providing an
12 opportunity for a public hearing, may terminate the existing
13 contract with the charter school board if the charter school
14 has a history of the following:

15 *a.* Failure to meet student performance requirements
16 consistent with state law.

17 *b.* Financial mismanagement or gross failure to meet
18 generally accepted standards of fiscal management.

19 *c.* Violations of the law.

20 Sec. 67. NEW SECTION. 256F.16 Student enrollment upon
21 nonrenewal or termination of charter school contract.

22 If a contract is not renewed or is terminated according to
23 section 256F.15, a student who attended the charter school
24 may enroll in the district of residence or may submit an
25 application to a nonresident district according to section
26 282.18 at any time, and shall be determined to have shown "*good*
27 *cause*" for purposes of section 282.18. Applications and notices
28 required by section 282.18 shall be processed and provided
29 in a prompt manner. The application and notice deadlines in
30 section 282.18 do not apply under these circumstances. The
31 charter school shall transfer the student's educational records
32 within ten business days of the charter school's closure to the
33 student's school district of enrollment.

34 Sec. 68. NEW SECTION. 256F.17 Extent of specific legal
35 authority.

1 1. A charter school board may sue and be sued.

2 2. A charter school board shall not levy taxes or issue
3 bonds.

4 3. A charter school is a municipality for purposes of
5 chapter 670.

6 Sec. 69. NEW SECTION. **256F.18 Funding.**

7 A student enrolled in a charter school shall be counted,
8 for state school foundation aid purposes, in the student's
9 district of residence. A student's residence, for purposes
10 of this section, means a residence under section 282.1. The
11 board of directors of the district of residence shall pay to
12 the charter school the district cost per pupil, the teacher
13 salary supplement district cost per pupil, the professional
14 development supplement district cost per pupil, and the early
15 intervention supplement district cost per pupil under section
16 257.10, plus any moneys received for the student as a result
17 of the non-English speaking weighting under section 280.4,
18 subsection 3, for the previous school year multiplied by the
19 district cost per pupil for the previous year. In addition,
20 the board of directors of the district of residence shall pay
21 to the charter school any other per pupil moneys requested
22 under the charter school application approved by the state
23 board.

24 Sec. 70. NEW SECTION. **256F.19 Prior charter schools and
25 innovation zones.**

26 1. A charter school or innovation zone school established
27 prior to July 1, 2012, shall continue to be governed by chapter
28 256F, Code 2011 and Code Supplement 2011, until the term of the
29 contract entered into pursuant to section 256F.8, Code 2011,
30 ends.

31 2. This section is repealed July 1, 2018.

32 Sec. 71. Section 282.18, subsection 4, paragraph b, Code
33 2011, is amended to read as follows:

34 *b.* For purposes of this section, "good cause" means a change
35 in a child's residence due to a change in family residence, a

1 change in the state in which the family residence is located,
2 a change in a child's parents' marital status, a guardianship
3 or custody proceeding, placement in foster care, adoption,
4 participation in a foreign exchange program, or participation
5 in a substance abuse or mental health treatment program, a
6 change in the status of a child's resident district such as
7 removal of accreditation by the state board, surrender of
8 accreditation, or permanent closure of a nonpublic school,
9 ~~revocation~~ nonrenewal or termination of a charter school
10 contract as provided in section ~~256F.8~~ 256F.15, the failure
11 of negotiations for a whole grade sharing, reorganization,
12 dissolution agreement or the rejection of a current whole grade
13 sharing agreement, or reorganization plan. If the good cause
14 relates to a change in status of a child's school district of
15 residence, however, action by a parent or guardian must be
16 taken to file the notification within forty-five days of the
17 last board action or within thirty days of the certification of
18 the election, whichever is applicable to the circumstances.

19 Sec. 72. Section 670.1, subsection 2, Code 2011, is amended
20 to read as follows:

21 2. "*Municipality*" means city, county, township, school
22 district, charter school, and any other unit of local
23 government except soil and water conservation districts as
24 defined in section 161A.3, subsection 6.

25 Sec. 73. REPEAL. Section 256F.7, Code 2011, is repealed.

26 DIVISION XIV

27 THIRD GRADE LITERACY

28 Sec. 74. Section 256.7, Code Supplement 2011, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 31. By July 1, 2013, adopt by rule
31 guidelines for school district implementation of section
32 279.68, including but not limited to basic levels of reading
33 proficiency on approved assessments and identification of tools
34 that school districts may use in evaluating and reevaluating
35 any student who may be or who is determined to be deficient in

1 reading, including but not limited to initial assessments and
2 subsequent assessments, alternative assessments, and portfolio
3 reviews. The state board shall adopt standards that provide
4 a reasonable expectation that a student's progress toward
5 reading proficiency under section 279.68 is sufficient to
6 master appropriate grade four level reading skills prior to the
7 student's promotion to grade four.

8 Sec. 75. Section 256.9, subsection 53, paragraph a, Code
9 Supplement 2011, is amended to read as follows:

10 a. Develop and distribute, or approve, in collaboration
11 with the area education agencies, core curriculum technical
12 assistance and implementation strategies that school districts
13 and accredited nonpublic schools shall utilize, including but
14 not limited to the development and delivery of formative and
15 end-of-course model assessments classroom teachers may use
16 to measure student progress on the core curriculum adopted
17 pursuant to section 256.7, subsection 26. The department
18 shall, in collaboration with the advisory group convened in
19 accordance with paragraph "b" and educational assessment
20 providers, identify and make available to school districts
21 end-of-course and additional model end-of-course and additional
22 assessments to align with the expectations included in the Iowa
23 core curriculum. The model assessments shall be suitable to
24 meet the multiple assessment measures requirement specified in
25 section 256.7, subsection 21, paragraph "c".

26 Sec. 76. Section 256.9, subsection 53, Code Supplement
27 2011, is amended by adding the following new paragraphs:

28 NEW PARAGRAPH. c. Identify the scoring levels on approved
29 grade three reading assessments that require the retention of a
30 student pursuant to section 279.68, and develop or identify and
31 approve alternative performance measures for students who are
32 not proficient in reading in accordance with section 279.68,
33 subsection 2. Alternative performance measures approved
34 pursuant to this paragraph shall include but not be limited to
35 a demonstration of reading mastery evidenced by portfolios of

1 student work.

2 NEW PARAGRAPH. *d.* Establish, subject to an appropriation
3 of sufficient funds by the general assembly, an Iowa reading
4 research center to apply current research on literacy to
5 provide for the development and dissemination of all of the
6 following:

- 7 (1) Promising instructional strategies in reading.
- 8 (2) Reading assessments.
- 9 (3) Professional development strategies and materials
10 aligned with current and emerging best practices for the
11 teaching of reading.

12 Sec. 77. Section 256D.2A, Code 2011, is amended to read as
13 follows:

14 **256D.2A Program funding.**

15 For the budget year beginning July 1, 2009, and each
16 succeeding budget year, a school district shall expend funds
17 received pursuant to section 257.10, subsection 11, at the
18 kindergarten through grade three levels to reduce class sizes
19 to the state goal of seventeen students for every one teacher
20 and to achieve a higher level of student success in the
21 basic skills, especially reading; and to establish a reading
22 enhancement and acceleration development initiative pursuant
23 to section 279.68, subsection 3, paragraph "f". In order to
24 support these efforts, school districts shall expend funds
25 received pursuant to section 257.10, subsection 11, as provided
26 in section 279.68, subsection 3, paragraph "f", and may expend
27 funds received pursuant to section 257.10, subsection 11,
28 at the kindergarten through grade three level on programs,
29 instructional support, and materials that include but are not
30 limited to the following: additional licensed instructional
31 staff; additional support for students, such as before and
32 after school programs, tutoring, and intensive summer programs;
33 the acquisition and administration of diagnostic reading
34 assessments; the implementation of research-based instructional
35 intervention programs for students needing additional support;

1 the implementation of all-day, everyday kindergarten programs;
2 and the provision of classroom teachers with intensive training
3 programs to improve reading instruction and professional
4 development in best practices including but not limited to
5 training programs related to instruction to increase students'
6 phonemic awareness, reading abilities, and comprehension
7 skills.

8 Sec. 78. NEW SECTION. 279.68 **Student progression and**
9 **retention — remedial instruction — reporting requirements.**

10 1. *Reading deficiency and parental notification.*

11 a. A school district shall provide intensive reading
12 instruction to any student who exhibits a substantial
13 deficiency in reading, based upon locally determined or
14 statewide assessments conducted in kindergarten or grade one,
15 grade two, or grade three, or through teacher observations,
16 immediately following the identification of the reading
17 deficiency. The student's reading proficiency shall be
18 reassessed by locally determined and statewide assessments.
19 The student shall continue to be provided with intensive
20 reading instruction until the reading deficiency is remedied.

21 b. The parent or guardian of any student in kindergarten
22 through grade three who exhibits a substantial deficiency in
23 reading, as described in paragraph "a", shall be notified at
24 least annually in writing of the following:

25 (1) That the child has been identified as having a
26 substantial deficiency in reading.

27 (2) A description of the services currently provided to the
28 child.

29 (3) A description of the proposed supplemental
30 instructional services and supports that the school district
31 will provide to the child that are designed to remediate the
32 identified area of reading deficiency.

33 (4) That if the child's reading deficiency is not remediated
34 by the end of grade three, the child shall be retained unless
35 the child is exempt from mandatory retention for good cause

1 pursuant to subsection 2, paragraph "b". If the child is
2 ineligible for a good cause exemption, the notification shall
3 state why the child is ineligible.

4 (5) Strategies for parents and guardians to use in helping
5 the child succeed in reading proficiency, including but not
6 limited to the promotion of parent-guided home reading.

7 (6) That the assessment used pursuant to section 256.9,
8 subsection 53, is not the sole determiner of promotion and
9 that additional evaluations, portfolio reviews, performance
10 measures, and assessments are available to the child to assist
11 parents and the school district in knowing when a child is
12 reading at or above grade level and ready for grade promotion.

13 (7) The district's specific criteria and policies for
14 midyear promotion. For purposes of this section, "*midyear*
15 *promotion*" means promotion to the next grade level of a retained
16 student at any time during the year of retention once the
17 student has demonstrated the ability to read at grade level.

18 c. If the student's reading deficiency, as identified in
19 paragraph "a", is not remedied by the end of grade three,
20 as demonstrated by scoring on an assessment approved by the
21 department pursuant to section 256.9, subsection 53, the
22 student shall be retained in grade three.

23 2. *Good cause exemption.*

24 a. The school district shall only exempt students from
25 mandatory retention, as provided in subsection 1, paragraph
26 "c", for good cause. Good cause exemptions shall be limited to
27 the following:

28 (1) Limited English proficient students who have had
29 less than two years of instruction in an English as a second
30 language program.

31 (2) Students requiring special education whose
32 individualized education program indicates that participation
33 in the assessment approved pursuant to section 256.9,
34 subsection 53, is not appropriate, consistent with the
35 requirements of rules adopted by the state board of education

1 for the administration of chapter 256B.

2 (3) Students who demonstrate an acceptable level of
3 performance on an alternative performance measure approved by
4 the director of the department of education pursuant to section
5 256.9, subsection 53.

6 (4) Students who demonstrate mastery through a student
7 portfolio under alternative performance measures approved
8 pursuant to section 256.9, subsection 53.

9 (5) Students who have received intensive remediation
10 in reading for two or more years but still demonstrate a
11 deficiency in reading and who were previously retained in
12 kindergarten, grade one, grade two, or grade three. Intensive
13 reading instruction for students so promoted must include
14 an altered instructional day that includes specialized
15 diagnostic information and specific reading strategies for
16 each student. The school district shall assist attendance
17 centers and teachers to implement reading strategies that
18 research has shown to be successful in improving reading among
19 low-performing readers.

20 *b.* Requests for good cause exemptions from the mandatory
21 retention requirement for students as described in paragraph
22 "a", subparagraphs (3) and (4), shall be made consistent with
23 the following:

24 (1) Documentation shall be submitted from the student's
25 teacher to the school principal that indicates that the
26 promotion of the student is appropriate and is based upon the
27 student's academic record. Such documentation shall include
28 but not be limited to the individualized education program, if
29 applicable, report card, or student portfolio.

30 (2) The school principal shall review and discuss the
31 recommendation submitted pursuant to subparagraph (1) with
32 the teacher and the school principal shall determine whether
33 the student should be promoted or retained. If the principal
34 determines that the student should be retained, the principal
35 shall notify the student's teacher and parent or guardian of

1 the decision in writing and the student shall be ineligible for
2 the good cause exemption from mandatory retention.

3 (3) If the school principal determines that the
4 student should be promoted, the school principal shall
5 make such recommendation in writing to the district school
6 superintendent. The district school superintendent shall
7 accept or reject the school principal's recommendation and
8 shall notify the school principal and the student's teacher
9 and parent or guardian of the school superintendent's decision
10 in writing. If the school superintendent determines that the
11 student should be retained, the student shall be ineligible for
12 the good cause exemption from mandatory retention. The parent
13 or guardian of the student may appeal the superintendent's
14 decision to the board of directors of the school district.
15 If the superintendent's decision is affirmed by the school
16 board, the decision is final and is not subject to appeal under
17 section 290.1.

18 c. This section does not preclude the parent or guardian of
19 a student with a reading deficiency from requesting that the
20 student be retained at grade level.

21 3. *Successful progression for retained readers.* A school
22 district shall do all of the following:

23 a. Conduct a review, within one week following the last
24 instructional day of the school calendar, of student progress
25 for any student retained under subsection 1, paragraph "c", who
26 did not meet the criteria for one of the good cause exemptions
27 in subsection 2, paragraph "a". The review shall address
28 additional supports and services, as described in subparagraph
29 (2), needed to remediate the identified areas of reading
30 deficiency. The school district shall require a student
31 portfolio to be completed for each such student.

32 b. Provide students who are retained under subsection
33 1, paragraph "c", with intensive instructional services
34 and supports, free of charge, to remediate the identified
35 areas of reading deficiency, including a minimum of a daily

1 ninety-minute block of scientific-research-based reading
2 instruction and other strategies prescribed by the school
3 district which may include but are not limited to the
4 following:

- 5 (1) Small group instruction.
- 6 (2) Reduced teacher-student ratios.
- 7 (3) More frequent progress monitoring.
- 8 (4) Tutoring or mentoring.
- 9 (5) Transition classes containing students in grades three
10 and four.

11 (6) Extended school day, week, or year.

12 (7) Summer reading programs.

13 *c.* At regular intervals, apprise the parent or guardian of
14 academic and other progress being made by the student and give
15 the parent or guardian other useful information.

16 *d.* Implement a policy for the midyear promotion of any
17 student retained under subsection 1, paragraph "c", who can
18 demonstrate that the student is a successful and independent
19 reader, reading at or above grade level, and ready to be
20 promoted to grade four. Tools that school districts may use
21 in reevaluating any student retained may include subsequent
22 assessments, alternative assessments, and portfolio reviews,
23 identified by rule pursuant to section 256.7, subsection 31.
24 Students promoted during the school year after November 1 shall
25 demonstrate proficiency pursuant to guidelines adopted by rule
26 pursuant to section 256.7, subsection 31.

27 *e.* In addition to required reading enhancement and
28 acceleration strategies, provide parents of students who are
29 retained under subsection 1, paragraph "c", with a plan outlined
30 in a parental contract, including participation in regular
31 parent-guided home reading.

32 *f.* Establish, using funds received pursuant to section
33 257.10, subsection 11, a reading enhancement and acceleration
34 development initiative designed to prevent the retention of
35 grade three students and to offer intensive accelerated reading

1 instruction to grade three students who fail to meet standards
2 for promotion to grade four and to each kindergarten through
3 grade three student who is assessed as exhibiting a reading
4 deficiency. The initiative shall comply with all of the
5 following criteria:

6 (1) Be provided to all kindergarten through grade three
7 students at risk of retention under this section. The
8 assessment initiative shall measure phonemic awareness,
9 phonics, fluency, vocabulary, and comprehension.

10 (2) Be provided during regular school hours in addition to
11 the regular reading instruction.

12 (3) Provide a reading curriculum that meets guidelines
13 adopted pursuant to section 256.7, subsection 31, and at a
14 minimum has the following specifications:

15 (a) Assists students assessed as exhibiting a reading
16 deficiency in developing the ability to read at grade level.

17 (b) Provides skill development in phonemic awareness,
18 phonics, fluency, vocabulary, and comprehension.

19 (c) Includes a scientifically based and reliable
20 assessment.

21 (d) Provides initial and ongoing analysis of each student's
22 reading progress.

23 (e) Is implemented during regular school hours.

24 (f) Provides a curriculum in core academic subjects to
25 assist the student in maintaining or meeting proficiency levels
26 for the appropriate grade in all academic subjects.

27 *g.* Report to the department of education the specific
28 intensive reading interventions and supports implemented by the
29 school district pursuant to this section. The department shall
30 annually prescribe the components of required or requested
31 reports, including but not limited to a report on the number of
32 students retained under this section.

33 *h.* Provide a student who has been retained in grade three
34 and who has received intensive instructional services but is
35 still not ready for grade promotion, as determined by the

1 school district, the option of being placed in a transitional
2 instructional setting. Such setting shall specifically be
3 designed to produce learning gains sufficient to meet grade
4 four performance standards while continuing to remediate the
5 areas of reading deficiency.

6 4. Notwithstanding subsection 1, paragraph "b", subparagraph
7 (4), or any other provision of law to the contrary, a school
8 district shall not be required to retain a student in grade
9 three who exhibits a substantial deficiency in reading in
10 accordance with this section until the school year beginning
11 July 1, 2016. This subsection is repealed July 1, 2016.

12 DIVISION XV

13 HOME RULE AUTHORITY

14 Sec. 79. NEW SECTION. 274.3 Exercise of powers —
15 construction.

16 1. The board of directors of a school district shall
17 operate, control, and supervise all public schools located
18 within its district boundaries and may exercise any broad
19 and implied power related to the operation, control, and
20 supervision of those public schools except as expressly
21 prohibited or prescribed by the Constitution of the State of
22 Iowa or by statute.

23 2. Notwithstanding subsection 1, the board of directors of
24 a school district shall not have power to levy any tax unless
25 expressly authorized by the general assembly.

26 3. This section shall not apply to a research and
27 development school as defined in section 256G.2 or to a
28 laboratory school as defined in section 265.1. The board of
29 directors of a school district in which such a research and
30 development school or laboratory school is located shall not
31 exercise over such a school any powers granted to the board by
32 subsection 1.

33 4. This chapter, chapter 257 and chapters 275 through 301,
34 and other statutes relating to the boards of directors of
35 school districts and to school districts shall be liberally

1 construed to effectuate the purposes of subsection 1.

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DIVISION XVI

3

ONLINE LEARNING INTERIM STUDY

4 Sec. 80. ONLINE LEARNING — INTERIM STUDY. The legislative
5 council is requested to establish an interim study committee
6 relating to online learning and programming for school
7 districts and related educational issues. The objective of
8 the study shall be to review the appropriate use of online
9 learning by school districts, the appropriate levels and
10 sources of funding for online learning, partnerships between
11 school districts and private providers of online programs, and
12 the potential use of online learning as the exclusive means
13 to provide coursework required under the state's educational
14 standards. The study shall identify opportunities between
15 interested agencies and entities involved in or potentially
16 involved in online learning activities, including but not
17 limited to K-12 schools, area education agencies, institutions
18 of higher learning, the public broadcasting division of the
19 department of education, the department of education, and the
20 Iowa communications network. The committee is directed to
21 submit its findings and recommendations in a report to the
22 general assembly by December 14, 2012.

23

DIVISION XVII

24

STATE MANDATE

25 Sec. 81. STATE MANDATE FUNDING SPECIFIED. In accordance
26 with section 25B.2, subsection 3, the state cost of requiring
27 compliance with any state mandate included in this Act shall
28 be paid by a school district from state school foundation aid
29 received by the school district under section 257.16. This
30 specification of the payment of the state cost shall be deemed
31 to meet all of the state funding-related requirements of
32 section 25B.2, subsection 3, and no additional state funding
33 shall be necessary for the full implementation of this Act
34 by and enforcement of this Act against all affected school
35 districts.

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EXPLANATION

This bill relates to programs and activities under the purview of the department of education, the board of educational examiners, school districts, and accredited nonpublic schools.

DIVISION I — COMPETENCY-BASED INSTRUCTION. The bill provides for the appointment of a competency-based instruction task force and extends until May 1, 2012, the time by which school districts may submit to the department of education a request for an exemption from the educational standards in order to create competency-based pathways for students that use standards and evidence as the baseline for competency determinations and bases advancement and credit on what students know or are able to do rather than on time spent in the classroom.

The superintendents of the school districts whose exemptions have already been approved by the department are directed to appoint a task force to conduct a study regarding competency-based instruction standards and options and the integration of competency-based instruction with the Iowa core curriculum, and to develop related assessment models and professional development focused on competency-based instruction.

At a minimum, the task force shall redefine the Carnegie unit into competencies, construct personal learning plans and templates, develop student-centered accountability and assessment models, empower learning through technology, and develop supports and professional development for educators to transition to a competency-based system.

The task force shall be comprised of at least 16 members, nine of whom shall represent education stakeholders and practitioners knowledgeable about the Iowa core curriculum; one of whom shall be the deputy director and administrator of the division of learning and results of the department of education or the deputy director's designee; one of whom shall

1 represent the area education agencies (AEAs); one of whom shall
2 represent the Iowa state education association; and four of
3 whom shall represent the general assembly. The four members
4 of the general assembly shall serve as ex officio, nonvoting
5 members. The department of education shall provide staffing
6 services for the task force.

7 The task force shall submit its plan, findings, models,
8 and recommendations in a final report to the state board of
9 education, the governor, and the general assembly by January
10 15, 2013.

11 This division takes effect upon enactment.

12 DIVISION II — CORE CURRICULUM FRAMEWORK AND CORE CONTENT
13 STANDARDS. The bill establishes the core curriculum advisory
14 council under the department of education. Upon request by
15 the director of the department of education, the council is
16 to make nonbinding recommendations to the director regarding
17 necessary changes to the core curriculum. The council is
18 directed to seek to further the goals of the core curriculum
19 and any objectives established by the director in making
20 recommendations. The council consists of no less than seven
21 members appointed by and serving at the pleasure of the
22 director. The council must be balanced by gender and political
23 party. The council is to meet at least quarterly and at the
24 call of the chair of the council. Members of the council serve
25 without compensation but may be reimbursed for their actual
26 expenses incurred in the performance of their duties.

27 The bill adds the subjects of music and other fine arts,
28 applied arts, foreign languages, physical education, and
29 entrepreneurship education to the skills and knowledge the core
30 curriculum for kindergarten through grade 12 must address.

31 The director must create and disseminate to school
32 districts, charter schools, and accredited nonpublic schools a
33 model curriculum that is directly tied to the goals, outcomes,
34 and assessment strategies identified in the core content
35 standards. The model curriculum shall provide guidance to

1 school districts and schools and expand on the core content
2 standards. The model curriculum shall be modified as necessary
3 to incorporate the core curriculum framework.

4 DIVISION III — TEACHER AND ADMINISTRATOR PERFORMANCE. The
5 bill directs the state board to adopt new Iowa teaching and
6 administration standards by January 1, 2013, and to implement
7 statewide teacher and administrator evaluation system pilot
8 programs during the 2013-2014 school year; provides for
9 the appointment of a teacher performance, compensation, and
10 career development task force to develop recommendations for
11 a new teacher compensation system; directs the director of
12 the department of education to develop a statewide teacher
13 evaluation system and a statewide administrator evaluation
14 system that school districts, charter schools, and accredited
15 nonpublic schools shall use to standardize the instruments
16 and processes used to evaluate teachers and administrators
17 throughout the state; provides for the creation of a task force
18 to conduct a study regarding a statewide teacher evaluation
19 system and a statewide administrator evaluation system; and
20 requires that public school teachers and administrators be
21 evaluated annually rather than every three years, and that the
22 evaluation of a teacher be conducted by at least one person who
23 holds a valid certification issued for successfully completing
24 an evaluator training program.

25 The bill sets out the minimum components of the statewide
26 teacher evaluation system, including direct observation of
27 classroom teaching behaviors, strong consideration of student
28 outcome measures, integration of the Iowa teaching standards,
29 and system applicability to teachers in all content areas
30 taught by a school. The bill allows charter schools and
31 accredited nonpublic schools to implement an alternative
32 teacher or administrator evaluation system if the department
33 approves the alternative system.

34 The director is tasked with appointing members to, and
35 providing staffing for, the teacher performance, compensation,

1 and career development task force, including members
2 representing teachers, parents, school administrators, and
3 business and community leaders. The task force is directed to
4 address the duties and responsibilities of apprentice, career,
5 mentor, and master teachers; utilizing retired teachers as
6 mentors; uses and realignment of finite resources; mechanisms
7 to substantially increase the average salary of teachers who
8 assume leadership roles; and standardizing implementation of
9 task force recommendations in all of Iowa's school districts
10 and public charter schools. The task force must submit its
11 findings and recommendations in a report to the state board of
12 education, the governor, and the general assembly by October
13 15, 2012.

14 The statewide educator evaluation system task force
15 must submit its findings, recommendations, and a proposal
16 for a statewide teacher evaluation system and a statewide
17 administrator evaluation system to the state board of education
18 and the general assembly by October 15, 2012. The task force
19 must include a tiered evaluation system differentiating levels
20 of teacher effectiveness in its recommendations and proposal.
21 By November 26, 2012, the department must submit a departmental
22 bill drafting request to the legislative services agency
23 in bill draft format making specific and detailed proposed
24 amendments to the Code necessary to advance the proposed task
25 force recommendations as approved by the state board.

26 The provisions providing for appointment of the task forces
27 take effect upon enactment.

28 The bill makes a repeal of language in the bill relating
29 to the statewide teacher evaluation system and the statewide
30 administrator evaluation system contingent on whether the
31 general assembly takes action during the 2013 regular session
32 to enact legislation advancing recommendations of the statewide
33 educator evaluation system task force.

34 The bill repeals the current Iowa teaching standards on
35 July 1, 2013. The bill also repeals a Code provision that

1 established a career ladder pilot program to be administered
2 by the department of education from 2007 through 2009. The
3 final report on the pilot program was submitted to the general
4 assembly in March 2010.

5 The bill makes a technical correction to a reference
6 relating to transfer of the duties of certain licensing
7 responsibilities to the state board of education and department
8 of education under division X of this bill.

9 DIVISION IV — INNOVATION ACCELERATION PROGRAM — FUND. The
10 bill establishes an innovation acceleration program in the
11 department of education and creates an innovation acceleration
12 fund in the state treasury under the control of the department.

13 The purpose of the innovation acceleration program is to
14 provide competitive grants to applicants with a record of
15 improving student achievement and educational attainment in
16 order to expand the implementation of, and investment in,
17 innovative practices that are demonstrated to have an impact
18 on improving student achievement or student growth, closing
19 achievement gaps, decreasing dropout rates, increasing parental
20 involvement, increasing attendance rates, increasing high
21 school graduation rates, or increasing college enrollment and
22 completion rates.

23 The program shall be designed to enable grantees to expand
24 and develop innovative practices that can serve as models of
25 best practices, work in partnership with the private sector and
26 the philanthropic community, and identify and document best
27 practices that can be shared and expanded based on demonstrated
28 success.

29 The innovation acceleration fund shall be administered
30 by the director of education and shall consist of moneys
31 appropriated by the general assembly and any other moneys
32 available to and obtained or accepted by the department for the
33 program.

34 DIVISION V — ONLINE LEARNING. The bill provides that the
35 term "telecommunications" for purposes of Code chapter 256

1 shall include coursework delivered online, as appropriate.
2 Further, resident pupils receiving coursework delivered
3 online shall be counted for school foundation aid purposes as
4 three-tenths of one pupil.

5 Currently the statute provides that telecommunications shall
6 not be used by school districts as the exclusive means to
7 provide any course which is required by the minimum educational
8 standards for accreditation.

9 DIVISION VI — EDUCATIONAL STANDARDS EXEMPTIONS. The bill
10 permits the director of the department of education to grant
11 school districts exemptions from one or more of the educational
12 standards for all grades and all subject areas currently
13 required to be offered, from prekindergarten through grade 12,
14 if the school district meets certain requirements specified for
15 charter schools, including provisions that require a charter
16 school to meet all applicable federal, state, and local health
17 and safety requirements and laws prohibiting discrimination;
18 operate as a nonsectarian, nonreligious public school; be free
19 of tuition and application fees to Iowa resident students
20 between the ages of 5-21 years; be subject to and comply with
21 Code chapters 216 and 216A relating to civil and human rights;
22 provide special education services; be subject to the same
23 financial audits, audit procedures, and audit requirements as
24 a school district; be subject to and comply with provisions
25 relating to the student achievement and teacher quality
26 program; be subject to and comply with state law relating to
27 contracts with and discharge of teachers and administrators;
28 be subject to and comply with state law relating to the
29 transportation of students; comply with state and federal
30 law relating to the suspension or expulsion of a student;
31 comply with all statutes and administrative rules relating to
32 student records; submit data to the department for purposes
33 of the department's comprehensive management information
34 system; comply with administrative rules relating to courses
35 or programs offered online or use of telecommunications

1 as an instructional tool; and comply with any statewide
2 accountability requirements in statute or administrative
3 rule governing high school graduation requirements, the core
4 curriculum, core content standards, and assessments.

5 Currently, the director may grant school districts and
6 accredited nonpublic schools an exemption from one or more of
7 the educational standards for grades 9 through 12, including
8 but not limited to unit requirements for science, social
9 studies, English-language arts, mathematics, foreign language,
10 vocational service, and health and physical education.

11 The bill requires the director to submit a report by February
12 1, annually, to the state board, the governor, and the general
13 assembly that lists all of the exemptions granted to school
14 districts and accredited nonpublic schools and the reasons for
15 which each exemption was granted.

16 The bill makes a reference to charter school requirements
17 included in division XV of the bill.

18 DIVISION VII — EDUCATION JOB OPENINGS POSTING. The
19 director of the department is directed to maintain, on the
20 department's internet site, education job openings which shall
21 be submitted by school districts, area education agencies,
22 charter schools, and accredited nonpublic schools for posting.

23 DIVISION VIII — CLASS SHARING AGREEMENTS. The bill
24 expands eligibility for the supplementary weighting plan for
25 district-to-community college sharing and concurrent enrollment
26 programs to allow a school district that collaborates with
27 a community college for a college-level class that uses an
28 activities-based, project-based, and problem-based learning
29 approach and that is offered through a partnership with a
30 nationally recognized provider of rigorous and innovative
31 science, technology, engineering, and mathematics curriculum
32 for schools, which provider is exempt from taxation under
33 section 501(c)(3) of the Internal Revenue Code, to qualify
34 to receive additional weighting for students enrolled in the
35 class.

1 The bill amends language establishing the
2 district-to-community college sharing program or concurrent
3 enrollment program under the senior year plus program to exempt
4 from the program's proficiency requirements students who are
5 enrolled in a school district and in a career and technical
6 course at a community college. However, a community college
7 may require a student who applies for enrollment under the
8 program to complete an initial assessment administered by
9 the community college receiving the application to determine
10 the applicant's readiness to enroll in career and technical
11 coursework, and the community college may deny the enrollment.

12 DIVISION IX — SCHOOL INSTRUCTIONAL TIME TASK FORCE. The
13 bill charges the director of the department of education with
14 appointing a school instructional time task force to conduct a
15 study regarding the minimum requirements of the school day and
16 the school year.

17 The school instructional time task force shall be comprised
18 of at least seven members who shall, at a minimum, examine
19 whether the minimum length of an instructional day should
20 be extended and if so for whom, whether the minimum number
21 of instructional days or hours in a school year should be
22 increased and if so for whom, whether the minimum number of
23 instructional days or hours should be rearranged for purposes
24 of summer or other breaks in the school year, whether the
25 minimum school year should be defined by a number of days or
26 by a number of instructional hours, whether there should be a
27 uniform, statewide start date for the school year, and whether
28 resources necessary to extend the minimum instructional day
29 or the minimum school year are justified when compared to
30 competing education priorities. The task force shall submit
31 its findings and recommendations in a report to the state board
32 of education, the governor, and the general assembly by October
33 15, 2012.

34 DIVISION X — ASSESSMENTS. The bill relates to assessments
35 for children prekindergarten through grade 11 and requires

1 the department of education to establish and implement a
2 value-added assessment system.

3 The bill replaces, in language directing the state board
4 of education to adopt rules requiring that school districts
5 and accredited nonpublic schools submit a comprehensive
6 school improvement plan and report to the department and local
7 communities, references to local education standards and
8 achievement progress with references to statewide standards
9 and assessment measures and eliminates reporting requirements
10 related to locally established student learning goals.

11 Further, the rules adopted by the state board incorporating
12 accountability for, and reporting of, student achievement
13 into the standards and accreditation process must provide,
14 by July 1, 2014, for the establishment by the department of
15 an accountability system designed to hold school districts
16 and accredited nonpublic schools accountable for student
17 achievement. The accountability system must, at a minimum,
18 define and measure student achievement, student growth,
19 student achievement gaps, college and career readiness,
20 student well-being, parent satisfaction, school staff working
21 conditions, school fiscal responsibility, and graduation and
22 attendance rates.

23 The state board must also adopt, by July 1, 2014, a policy
24 for how school districts shall incorporate end-of-course
25 assessments into their graduation requirements. The director
26 of the department must, by July 1, 2014, develop high school
27 end-of-course assessments for core content standards subject
28 areas, which the school districts must administer as an
29 integral component of such courses.

30 In addition, the director may at the director's discretion,
31 or shall as directed by the state board, convene a working
32 group to develop recommendations for the accountability
33 system or redesign of accreditation procedures; a compliance
34 monitoring process aligned with the accountability system;
35 targeting support for school districts identified as

1 needing assistance; identifying, studying, and commending
2 high-performing districts; and developing takeover strategies
3 for school districts deemed persistently failing to meet
4 educational system or student achievement standards.

5 The rules the state board adopts establishing high school
6 graduation requirements shall also require administration of
7 college entrance examinations and career readiness assessments.
8 The bill requires school districts and accredited nonpublic
9 schools to offer to each student enrolled in grade 11 their
10 choice of taking either the college entrance examination
11 to assess English, reading, mathematics, and science or a
12 career readiness assessment to assess reading for information,
13 locating information, and applied mathematics.

14 The cost of the examinations and assessments shall be paid by
15 the department of education; and the costs of any additional
16 college entrance examinations taken by a student shall be the
17 responsibility of the student. If funds are available to
18 the department for such purpose, the department shall make a
19 preparation program available to all students in grade 11, and
20 may contract for the necessary assessment services.

21 A student whose scores on the college entrance examination
22 indicate a high degree of college readiness shall be counseled
23 by the school district or school to enroll in accelerated
24 courses, with an emphasis on advanced placement classes. A
25 student whose scores on the career readiness assessments
26 indicate that additional assistance is required in reading
27 for information, locating information, or applied mathematics
28 shall be provided intervention strategies for accelerated
29 learning by the school district or school. The bill provides
30 for accommodations for students with disabilities and students
31 requiring special education under Code chapter 256B. The
32 bill requires a student's scores on the college entrance
33 examinations to be recorded by the school district or school in
34 the student's official education record.

35 The bill eliminates from the core content requirements

1 language relating to locally developed content standards.

2 The bill requires the department of education to establish
3 and implement a value-added assessment system not later than
4 January 31, 2013, to provide for multivariate longitudinal
5 analysis of annual student test scores to determine the
6 influence of a school district's educational program on student
7 academic growth and to guide school district improvement
8 efforts. The department of education is directed to select a
9 value-added assessment system provider, based on criteria set
10 forth in the bill, through a request for proposals process.
11 School districts are required to use the system not later than
12 the 2013-2014 school year, but may request from the district's
13 area education agency authorization to use an alternative
14 system.

15 The bill defines "value-added assessment" to mean a method
16 of measuring gains in student achievement by conducting a
17 statistical analysis of achievement data that reveals academic
18 growth over time for students and groups of students, such as
19 those in a grade level or in a school.

20 The system provider must create a mechanism to collect and
21 evaluate data in a manner that reliably aligns the performance
22 of the teacher with the achievement levels and progress
23 of the teacher's students. School districts must report
24 teacher-to-student alignment data to the system provider as
25 directed by the department.

26 The system provider must provide analysis to each school
27 district and the department of education, and must also chart
28 data, using criteria set forth in the bill, for each school
29 district.

30 A school district must have complete access to and full
31 utilization of its own value-added assessment reports and
32 charts. Where student outcomes measures are available,
33 for tested subjects and grades, student outcomes measures
34 may be considered by the district to validate observational
35 evaluations. Such measures which are a component of a

1 teacher's evaluation are not a public record.

2 School districts shall use the student academic growth
3 data for defining student and district learning goals and
4 professional development related to student learning goals
5 across the school district.

6 The department shall use the data to determine school
7 improvement and technical assistance needs of school districts
8 and to identify school districts achieving exceptional gains.
9 The department is directed to submit an annual progress report
10 regarding the use of student academic growth information in the
11 school improvement processes to the house and senate education
12 committees and must publish the progress report on its internet
13 site.

14 The bill also requires each school district to administer a
15 kindergarten readiness assessment prescribed by the department
16 to every resident prekindergarten or four-year-old child whose
17 parent or guardian enrolls the child in the district. The
18 school districts must also administer the Iowa assessments to
19 grade 10 students in the 2012-13 and 2013-14 school years.

20 DIVISION XI — NATIONAL BOARD FOR PROFESSIONAL TEACHING
21 STANDARDS AWARDS. The bill eliminates the end dates for
22 the national board for professional teaching standards
23 certification one-time reimbursement awards and the annual
24 awards. The term of eligibility for the annual award is 10
25 years or for the years in which the individual maintains a
26 valid certificate, whichever time period is shorter.

27 DIVISION XII — EDUCATOR EMPLOYMENT AND PROFESSIONAL
28 DEVELOPMENT MATTERS. The bill relates to teacher performance,
29 compensation, and career development, professional development
30 for practitioners and state funds for professional development,
31 and to probationary periods and due process for teachers and
32 administrators.

33 PROFESSIONAL DEVELOPMENT AND TEACHER EVALUATION. The state
34 board of education is directed to adopt rules providing for
35 the establishment of a statewide plan for the professional

1 development of practitioners employed in Iowa's school
2 districts. The statewide plan shall be implemented by the area
3 education agencies (AEAs), each of which must submit annually
4 to the department of education a plan for a professional
5 development program for the following fiscal year. The program
6 developed by the AEA must combine the professional development
7 priorities of the state board with the professional development
8 needs of the schools and school districts in the area. The
9 director of the department must approve, amend and approve, or
10 reject each AEA plan.

11 The department is tasked with implementing the statewide
12 plan for professional development established by the state
13 board. A school district may, upon request, receive services
14 under the area professional development plan approved by the
15 director.

16 The department of management is directed to annually reduce
17 the distributions from the amounts generated by the total
18 professional development supplement district cost and the total
19 area education agency professional development supplement
20 district cost to each school district and AEA by 10 percent.
21 The school district spending authority is also reduced by 10
22 percent. An amount equivalent to the amount of the reduction
23 is appropriated to the department for purposes of implementing
24 the statewide plan for the professional development of
25 practitioners.

26 REDUCTION IN FORCE. The bill authorizes school boards,
27 which by a majority vote institute a reduction in force, to
28 not renew a teacher's contract based on teacher evaluations,
29 licensure and endorsements, the needs of the schools and
30 students, and, under certain circumstances, hiring dates.

31 The director is authorized to waive requirements relating
32 to the development and review of an individual teacher
33 professional development plan for a school district that
34 utilizes a peer review teacher evaluation system in which
35 consulting teachers, in conjunction with school administrators,

1 make formal evaluations of the school district's teachers,
2 including but not limited to each teacher's professional growth
3 and employment status.

4 DIVISION XIII — CHARTER SCHOOL CHANGES. The bill rewrites
5 the majority of Iowa's charter school legislation. The purpose
6 of the charter school legislation remains the same, as do most
7 of the general operating requirements, but the bill eliminates
8 references to innovation zone schools and broadens the list of
9 entities eligible to submit applications to establish charter
10 schools. However, the bill provides that a charter school
11 or innovation zone school established prior to July 1, 2012,
12 shall continue to be governed by chapter 256F, Code and Code
13 Supplement 2011, until the term of the contract entered into
14 pursuant to section 256F.6, Code 2011, ends.

15 ELIGIBLE ENTITIES. Eligible entities under the bill
16 include the following: school districts, area education
17 agencies, community colleges, regents universities, nonprofit
18 private postsecondary institutions, cities and counties
19 with populations of more than 95,000, and nonsectarian,
20 nonreligious, tax-exempt charitable organizations; or
21 consortiums of some of the eligible entities.

22 CONVERSION OF AN EXISTING SCHOOL. The bill continues to
23 provide that the conversion of an existing school district
24 attendance center must be supported by at least 50 percent
25 of the school's teachers and 50 percent of the parents whose
26 children attend the school.

27 The bill states that the legislation shall not be construed
28 as a means to keep open a school that a school board decides
29 to close, but a school board may endorse or authorize the
30 establishing of a charter school to replace the school the
31 board decides to close. Applicants seeking a charter under
32 this circumstance must demonstrate and document that the
33 charter sought is substantially different in purpose and
34 program from the school the board closes.

35 DUTIES OF THE DEPARTMENT. The department of education

1 is tasked with developing and implementing an orientation
2 program for operators that covers accountability requirements,
3 reporting requirements, and finance. An operator is an entity
4 whose application to charter a school has been approved by
5 the state board. An operator must successfully complete the
6 orientation program prior to chartering a school. If the
7 operator does not successfully complete the orientation program
8 in the time specified by the department, the state board
9 shall reevaluate the operator's application and may deny the
10 application.

11 The department must also develop and implement or approve
12 orientation programs for members of the boards of directors
13 of charter schools, including but not limited to orientation
14 on the charter school board's role and responsibilities,
15 employment policies and practices, and financial management.
16 Board members must attend ongoing orientation throughout the
17 member's term.

18 The department shall monitor and evaluate the fiscal,
19 operational, and student performance of the charter school
20 annually. Every fifth year in which a charter school is in
21 operation, and before the state board considers renewing a
22 charter school's contract, the department must provide to the
23 state board and to the charter school board a formal written
24 review of the annual evaluations conducted.

25 OPERATING REQUIREMENTS. New operating requirements
26 include those requiring that charter schools comply with
27 statutes relating to the suspension or expulsion of a student,
28 procedures for handling child abuse, procedures for reporting
29 weapons and drug or alcohol possession or use, and harassment
30 and bullying prohibitions and requirements; comply with
31 statutes and rules relating to student records and school
32 meal programs; submit data for purposes of the department's
33 comprehensive management information system; and comply with
34 statewide accountability requirements governing high school
35 graduation requirements, the core curriculum, core content

1 standards, and assessments. Suspension or expulsion decisions
2 may be appealed to the state board of education. However,
3 under the bill a charter school no longer must be subject to or
4 comply with Code chapter 279, relating to teacher contracts and
5 discharge of teachers or administrators; or meet the 180-day
6 school year requirement or its equivalent in hours; or provide
7 school bus transportation to nonpublic school and nonresident
8 students.

9 PRIMARY FOCUS. The primary focus of a charter school shall
10 be to provide a comprehensive program of instruction for at
11 least one grade or age group from 5-21 years of age.

12 CHARTER SCHOOL APPLICATION. An application to operate a
13 charter school must include a business plan that documents the
14 proposed charter school's mission statement, school purposes,
15 program design, graduation plan, financial plan, governance
16 and management structure, and background and experience of
17 the applicants and the initial board and instructional staff,
18 plus any other information the state board requests; provide
19 a statement of assurances of legal compliance prescribed by
20 the state board; provide a statement of support or nonsupport
21 from the school district in which the charter school would be
22 located, a statement of community support, and how special
23 education and English as a second language programs will be
24 made available and financed; demonstrate the applicant's
25 ability to implement the procedures and satisfy the criteria
26 for chartering a school; and describe the measures that will be
27 implemented to provide for oversight of the charter school's
28 academic, financial, and operational performance, and ensure
29 compliance with the terms of any written contract entered into
30 by the charter school board and the state board. An applicant
31 must file a separate application for each school the applicant
32 intends to charter.

33 The bill sets forth provisions specifying timelines
34 and requirements for the approval or disapproval of an
35 application. Only the state board is authorized to approve

1 an application. The state board is directed to establish
2 criteria for application approval that at a minimum considers
3 the available capacity and infrastructure identified in the
4 plan, the contracting process specified in the plan, ongoing
5 oversight and evaluation processes relating to administration
6 and staffing, and charter school contract and contract renewal
7 criteria and processes.

8 The approval of an application and renewal of a charter by
9 the state board shall not be conditioned upon the bargaining
10 unit status of the employees of the school. Employees of
11 the board of directors of a charter school may, if otherwise
12 eligible, organize under Code chapter 20 and comply with its
13 provisions. The board of directors of a charter school is
14 a public employer, for the purposes of Code chapter 20, upon
15 formation of one or more bargaining units at the school.

16 OPERATOR OF CHARTER SCHOOL. An operator who successfully
17 completes the department's orientation program shall, before
18 entering into a contract or other agreement for professional
19 or other services, goods, or facilities, incorporate as a
20 nonprofit corporation and shall establish an initial board of
21 directors composed of at least five voting members, who are not
22 related parties, until a timely election for members of the
23 ongoing charter school board of directors is held according to
24 the school's articles and bylaws.

25 CHARTER SCHOOL BOARD. Ongoing board members must be elected
26 before the school completes its third year of operation. The
27 articles and bylaws shall include clear policies regarding
28 conflicts of interests and standards of responsibility. Staff
29 members employed at the school and all parents or guardians
30 of children enrolled in the school are the voters eligible to
31 elect charter school board members.

32 The charter school board of directors shall be composed
33 of at least one licensed teacher employed at the school, at
34 least one parent or legal guardian of a student enrolled in
35 the charter school who is not an employee of the charter

1 school, and at least one interested community member who is
2 not employed by the charter school and does not have a child
3 enrolled in the school. The majority of board members may be
4 teachers. Contractors providing facilities, goods, or services
5 to a charter school shall not serve on the charter school board
6 except that contracts involving no more than \$2,500 do not
7 exclude a contractor from board membership.

8 EXPANSION TO ADDITIONAL SITES OR GRADES. The state board
9 may permit the charter school board to expand the operation of
10 the charter school to additional sites or to add additional
11 grades at the school beyond those described in the operator's
12 approved application only after submitting to the state board a
13 supplemental affidavit that includes a proposed expansion plan
14 that demonstrates need and projected enrollment; documentation
15 that the expansion is warranted, at a minimum, by longitudinal
16 data demonstrating students' improved academic performance and
17 growth on student assessments; documentation that the charter
18 school is financially sound and the financing it needs to
19 implement the proposed expansion exists; and documentation that
20 the charter school has the governance structure and management
21 capacity to carry out its expansion.

22 OPEN MEETINGS AND RECORDS. The charter school board is a
23 government or governmental body for purposes of Iowa's open
24 meetings and records laws.

25 AUDIT REQUIREMENTS. As under current law, the charter
26 school must comply with the same statutory audit requirements
27 as a school district. In addition, the charter school must
28 annually submit an audit report to the state board by December
29 31 and include a copy of all charter school agreements for
30 corporate management services. If the audit report finds
31 that a material weakness exists in the school's financial
32 reporting systems, the school shall submit a written report to
33 the state board explaining how the material weakness will be
34 resolved, and the school's auditor must agree to make available
35 information about the audit to the state board upon request.

1 FUNDING. A student enrolled in a charter school shall
2 be counted, for state school foundation aid purposes, in the
3 pupil's district of residence. The district of residence shall
4 pay to the charter school the state cost per pupil for the
5 previous school year and the combined district cost per pupil,
6 the teacher salary supplement, the professional development
7 supplement, and the early intervention supplement, plus any
8 moneys received for the student as a result of the non-English
9 speaking weighting for the previous school year multiplied
10 by the state cost per pupil for the previous year. Other
11 per pupil moneys may also be payable to a charter school in
12 accordance with the charter school's approved application.

13 ADMISSION REQUIREMENTS. A charter school may limit
14 admission to the following: students within an age group or
15 grade level, students who are either at risk of dropping out or
16 have dropped out, and residents of a specific geographic area
17 in which the school is located when the majority of students
18 served by the school are eligible for free and reduced price
19 meals under federal guidelines. A charter school shall enroll
20 an eligible student who submits a timely application, unless
21 the number of applications exceeds the capacity of a program,
22 class, grade level, or building. In such case, students shall
23 be accepted by lot. A charter school shall give enrollment
24 preference to a sibling of an enrolled student and to a foster
25 child of that student's parents and may give preference for
26 enrolling children of the school's staff before accepting other
27 students by lot. A charter school shall not limit admission
28 to students on the basis of intellectual ability, measures
29 of achievement or aptitude, or athletic ability and may not
30 establish any criteria or requirements for admission that are
31 inconsistent with this Code section. The charter school shall
32 not distribute any services or goods of value to students,
33 parents, or guardians as an inducement, term, or condition of
34 enrolling a student in a charter school.

35 STAFFING REQUIREMENTS AND QUALIFICATIONS. A charter school

1 shall employ or contract with necessary licensed teachers
2 who hold endorsements to perform the particular service for
3 which they are employed in the school. The school may employ
4 necessary employees who are not required to hold teaching
5 licenses to perform duties other than teaching and may contract
6 for other services.

7 LEASE OF SPACE AND FACILITY CONSTRUCTION. A charter
8 school may lease space from a school district or other public
9 organization; a private, nonprofit nonsectarian organization;
10 a private property owner; or a sectarian organization if the
11 leased space is constructed as a school facility.

12 A charter school may organize an affiliated nonprofit
13 building corporation to renovate or purchase an existing
14 facility to serve as a school or to construct a new school
15 facility. The bill sets forth requirements for such a
16 corporation.

17 RETIREMENT SYSTEMS. Teachers in a charter school are public
18 school teachers and charter schools are employers for the
19 purposes of Iowa public employees' retirement system.

20 CONTRACT RENEWAL OR NONRENEWAL. The state board may or
21 may not renew a charter school contract at the end of the
22 contract term, and may unilaterally terminate a contract during
23 the term of the contract, for any of the following grounds:
24 failure to meet the requirements for student performance
25 contained in the contract, failure to meet generally accepted
26 standards of fiscal management, violations of law, and other
27 good cause shown, including but not limited to the existence
28 of one or more other grounds for revocation as specified in
29 the contract. The bill specifies the procedures for not
30 renewing or terminating a contract. The state board, after
31 providing reasonable notice to the charter school board, and
32 after providing an opportunity for a public hearing, may
33 terminate the existing contract with the charter school board
34 if the charter school has a history of failure to meet student
35 performance requirements consistent with state law, financial

1 mismanagement or failure to meet generally accepted standards
2 of fiscal management, or violations of the law.

3 If a contract is not renewed or is terminated, a student
4 who attended the charter school may enroll in the district of
5 residence or may submit an open enrollment application to a
6 nonresident district. The charter school shall transfer the
7 student's educational records to the student's new school of
8 enrollment.

9 LEGAL AUTHORITY. The board of directors of a charter school
10 may sue and be sued, the charter school shall not levy taxes
11 or issue bonds, and a charter school is a municipality for
12 purposes of tort liability of governmental subdivisions.

13 DIVISION XIV — THIRD GRADE LITERACY. The bill provides for
14 early grade student assessments for reading deficiencies and
15 parental notification of reading deficiencies, and retention
16 for such deficiencies at grade three for students who do not
17 demonstrate an acceptable level of performance on reading
18 standardized or alternative assessments. However, school
19 districts are not required to retain students until the school
20 year beginning July 1, 2016.

21 The bill requires the state board of education to adopt
22 guidelines by July 1, 2013, for implementation of the new
23 Code provision established by the bill relating to student
24 progression, retention, and remedial instruction, including
25 but not limited to basic levels of reading proficiency
26 on approved assessments and identification of tools that
27 school districts may use in evaluating and reevaluating any
28 student who may be or who is determined to be deficient in
29 reading, including but not limited to initial assessments and
30 subsequent assessments, alternative assessments, and portfolio
31 reviews. The state board must adopt standards that provide a
32 reasonable expectation that a student's progress toward reading
33 proficiency is sufficient to master appropriate grade four
34 level reading skills prior to the student's promotion to grade
35 four.

1 The director of the department of education is required to
2 identify the scoring levels on approved grade three reading
3 assessments that will trigger the retention of a student; to
4 develop or identify and approve alternative but equivalent
5 qualifying performance measures for students who are not
6 proficient in reading, such as a demonstration of reading
7 mastery evidenced by portfolios of student work; and to
8 establish, subject to an appropriation of state funds, an Iowa
9 reading research center for the application of current research
10 on literacy.

11 School districts must provide intensive reading instruction
12 to students who exhibit a substantial deficiency in reading,
13 based upon locally determined or statewide assessments
14 conducted in kindergarten or grade one, grade two, or grade
15 three, or through teacher observations. The student's reading
16 proficiency shall be reassessed following the intensive reading
17 instruction. The student shall continue to be provided with
18 intensive reading instruction until the reading deficiency is
19 remedied.

20 School districts must notify at least annually, in writing,
21 the parent or guardian of a student who exhibits a substantial
22 deficiency in reading, the district's determination that
23 the child is deficient in reading, descriptions of the
24 services currently provided to the child and of the proposed
25 supplemental instructional services and supports that the
26 school district will provide to the child to remediate the
27 deficiency; that if the child's reading deficiency is not
28 remediated by the end of grade three, the child will be
29 retained unless exempt from mandatory retention for good cause;
30 strategies for parents and guardians to use in helping the
31 child succeed in reading proficiency; that the assessment
32 is not the sole determiner of promotion and that additional
33 evaluations, portfolio reviews, performance measures, and
34 assessments are available to assist parents and the school
35 district in knowing when a child is reading at or above grade

1 level and ready for promotion; and the district's specific
2 criteria and policies for midyear promotion. "Midyear
3 promotion", under the bill, means promotion of a retained
4 student to the next grade level at any time during the year of
5 retention once the student has demonstrated ability to read at
6 grade level.

7 The bill does not preclude the parent or guardian of a
8 student with a reading deficiency from requesting that the
9 student be retained at grade level.

10 If a student's reading deficiency is not remedied by the
11 end of grade three, the student shall be retained in grade
12 three. The school district can exempt students from mandatory
13 retention for good cause, which under the bill includes
14 limited English proficient students; students requiring special
15 education; students who demonstrate an acceptable level of
16 performance on an approved alternative performance measure;
17 students who demonstrate mastery through a student portfolio;
18 and students who have received intensive remediation in reading
19 for two or more years.

20 Intensive reading instruction for students promoted under
21 good cause must include an altered instructional day that
22 includes specialized diagnostic information and specific
23 reading strategies for each student, and the school district
24 must assist attendance centers and teachers to implement
25 reading strategies.

26 If a student demonstrates acceptable performance through
27 an alternative assessment or student portfolio, the student's
28 teacher must document the teacher's recommendation for
29 promotion to the school principal, and if the principal agrees,
30 the principal must make a recommendation to the district
31 superintendent. A parent or guardian may appeal the decision
32 of the superintendent to the school board, but the school
33 board's decision is final.

34 Each school district shall conduct a review of student
35 progress for any student retained who did not meet the

1 criteria for a good cause exemption. The review shall address
2 additional supports and services needed to remediate the
3 identified areas of reading deficiency. The school district
4 shall require a student portfolio to be completed for each such
5 student.

6 The intensive supports that a school district must provide
7 free of charge include a minimum of a 90-minute block of
8 scientific-research-based reading instruction and other
9 strategies which may include but are not limited to small group
10 instruction; reduced teacher-student ratios; more frequent
11 progress monitoring; tutoring or mentoring; transition classes
12 containing students in grades three and four; extended school
13 day, week, or year; and summer reading programs.

14 At regular intervals, the school district shall provide
15 a report to the parent or guardian apprising the parent or
16 guardian of academic and other progress being made by the
17 student and giving other useful information.

18 The school district shall implement a policy for the midyear
19 promotion of a student who can demonstrate that the student is
20 a successful and independent reader, reading at or above grade
21 level, and ready to be promoted to grade four.

22 In addition to required reading enhancement and acceleration
23 strategies, school districts must provide parents and guardians
24 of retained students with instructional options such as a plan
25 outlined in a parental contract, including participation in
26 regular parent-guided home reading.

27 School districts, using early intervention moneys received
28 from the state, must also establish a reading enhancement
29 and acceleration development initiative designed to prevent
30 the retention of grade three students and to offer intensive
31 accelerated reading instruction to grade three students
32 who fail to meet standards for promotion to grade four and
33 to each kindergarten through grade three student who is
34 assessed as exhibiting a reading deficiency. The bill amends
35 Code section 256D.2A to authorize use of the state early

1 intervention moneys on such initiatives. The initiative shall
2 be provided to all kindergarten through grade three students
3 at risk of retention, and shall measure phonemic awareness,
4 phonics, fluency, vocabulary, and comprehension; be provided
5 during regular school hours in addition to regular reading
6 instruction; and provide a reading curriculum that meets the
7 state board's guidelines and, at a minimum, assists students
8 in developing the ability to read at grade level; provides
9 skill development in phonemic awareness, phonics, fluency,
10 vocabulary, and comprehension; includes scientifically based
11 and reliable assessment; and provides initial and ongoing
12 analysis of each student's reading progress; is implemented
13 during regular school hours; and provides a curriculum in core
14 academic subjects to assist the student in maintaining or
15 meeting proficiency levels for the appropriate grade in all
16 academic subjects.

17 Each school district shall report to the department
18 the specific intensive reading interventions and supports
19 implemented by the school district, and shall report on the
20 number of students retained under the provisions of the bill.

21 Finally, each school district shall provide a retained
22 student who has received intensive instructional services but
23 is still not ready for grade promotion the option of being
24 placed in a transitional instructional setting specifically
25 designed to produce learning gains sufficient to meet grade
26 four performance standards while continuing to remediate the
27 areas of reading deficiency.

28 DIVISION XV — HOME RULE AUTHORITY. The bill relates
29 to the power and authority of school districts by amending
30 Code chapter 274 to grant school districts "home rule" power
31 and authority. The board of directors of a school district
32 shall operate, control, and supervise all public schools
33 located within its district boundaries and may exercise any
34 broad and implied power related to the operation, control,
35 and supervision of those public schools except as expressly

1 prohibited or prescribed by the Constitution of the State of
2 Iowa or by statute. However, school boards shall not have
3 power to levy any tax unless expressly authorized by the
4 general assembly. The new powers and authority shall not apply
5 to a research and development school or to a laboratory school.
6 Code chapters 257, 274 through 301, and other statutes relating
7 to school boards and to school districts shall be liberally
8 construed to effectuate the purposes specified.

9 DIVISION XVI — ONLINE LEARNING INTERIM STUDY. The bill
10 requests the legislative council to establish an interim study
11 committee relating to online learning and programming for
12 school districts and related educational issues. The objective
13 of the study shall be to review the appropriate use of online
14 learning by school districts, the appropriate levels and
15 sources of funding for online learning, partnerships between
16 school districts and private providers of online programs, and
17 the potential use of online learning as the exclusive means
18 to provide coursework required under the state's educational
19 standards. The study shall identify opportunities between
20 interested agencies and entities involved in or potentially
21 involved in online learning activities, including but
22 not limited to K-12 schools, AEAs, institutions of higher
23 learning, the public broadcasting division of the department
24 of education, the department of education, and the Iowa
25 communications network. The committee is directed to submit
26 its findings and recommendations in a report to the general
27 assembly by December 14, 2012.

28 DIVISION XVII — STATE MANDATE. The bill may include a state
29 mandate as defined in Code section 25B.3. The bill requires
30 that the state cost of any state mandate included in the bill
31 be paid by a school district from state school foundation aid
32 received by the school district under Code section 257.16. The
33 specification is deemed to constitute state compliance with
34 any state mandate funding-related requirements of Code section
35 25B.2.